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Contested Publics: Situating Civil Society in a Post-Authoritarian Era
The Case Study of Tunisia 2011–2013

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Thesis submitted for the degree of PhD in Development Studies

2016

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Declaration for PhD thesis

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Abstract

Periods of sociopolitical transition from authoritarian rule offer renewed expectations for more representative and accountable state institutions, for enhanced pluralism and public participation, and for opportunities for marginalised groups to emerge from the periphery. Several thousand new civil society organisations were legally established in Tunisia following the 2010–2011 uprising that forced a long-serving dictator from office. These organisations had different visions for a new Tunisia, thereby bringing into sharp relief a multiplicity of emerging conflicts. As the hierarchy of priorities was outlined, these contestations entailed a host of inclusions and exclusions from Tunisia's public spaces in which a range of civil society actors and groups jostled to be recognised.

This research looks to a remarkable period of transformation for Tunisia during which the euphoria of having brought down a dictator was tempered with the apprehension of what may follow—the “uncertain something else.” Within the context of a transition from authoritarian rule, the thesis examines the conflicts that manifested between the different elements of civil society following the uprising in early 2011. It looks to the effects of the opening up of the public space; the sociocultural and socioreligious divisions that emerged, including the rise of associational or social Islam; and the exclusionary nature of consensus in “liberal” democracies. The research underscores conceptual understandings of civil society that evolved from emphasising the conflicts among these actors to deemphasising them over time as an outcome of the unprecedented legitimacy now afforded to civil society in neoliberal frameworks. The thesis contends that conflict among these actors is neither positive nor negative, but nevertheless is consequential. Conflict serves as a productive tool to expand and maintain agonistic discursive contestation. Moreover, the preservation of a multiplicity of discursive arenas during periods of sociopolitical turmoil can sustain spaces for more democratic and representative institutions to eventually emerge.

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In the Pursuit of Dignity and Freedom

Chapter I: Introduction

Here AIDS is no longer a priority. Instead there are discussions around single mothers and even the introduction of temporary marriage. How can we even begin to explain what we want to do in this environment? We therefore have to look at our strategy and think again. We could address some of these issues before the revolution but not now—we have to work with a view to protecting these populations, what we do and say could affect them negatively.

--Human rights lawyer, Tunis¹

In February 2011 during what was described as a “wave of violence,” it was estimated that 2,000 individuals attacked a *maison close* in the old town of Tunis, the Tunisian capital, followed by similar attacks on *maisons closes* in Medenine, Sfax, Kairouan and Sousse, with sex workers chased out and some of the establishments firmly boarded and bricked over.² *Les maisons de tolerance* or *les maisons closes* are a remnant from the French colonial period in Tunisia.³ In 1942 the French authorities in Tunisia introduced the *maisons closes*, or institutional brothels, with a decree outlining the regulations for legal prostitution.⁴ Before 2011, some 300 legal sex workers were working across the urban areas of Tunisia such as in Tunis, Sousse, Sfax, Gabes, and Kairouan; over 100 women were working in Tunis alone, while the *maison close* in Sfax was the third-largest legal establishment for sex work in Tunisia.⁵ Prior to the Tunisia uprising in 2010–2011, both the Ministry of Interior and the Ministry of Health had supervisory responsibilities over the *maisons closes*: sex workers would submit a formal application to the former for permission to work, and the latter was responsible for ensuring that public health was protected.

¹ Informant 36: Founder and lawyer, human rights association; Tunis, 16 Feb. 2012.

² Bensaïed, “Les Islamistes s’Attaquent aux Maisons Closes.”

³ It is also argued that “tolerated prostitution” in North Africa stretches back to the beginning of the Ottoman period in the 17th century. See: Lagueche and Lagueche, *Marginales en Terre d’Islam*, 19–22.

⁴ El Feki, *Sex and the Citadel*, 202; for additional information on the history of prostitution, see Snoussi “La Prostitution en Tunisie au Temps de la Colonisation,” www.sexandthecitadel.com.

⁵ Abid and Ghorbel, “Enquete sur l’Utilisation de Preservatif Aupres des Jeunes Clients des Professionnelles du Sexe Declarees,” 11, cited in El Feki, *Sex and the Citadel*, 202.

The individuals who participated in the attacks on the *maisons closes* in 2011 openly regarded the establishments as symbols of the debauchery and impiety of the former secular authoritarian regimes of Habib Bourguiba and Zine El Abidine Ben Ali. This movement from the street to shut down the *maisons closes* was diffused through local mosques and via the Internet in an effort to reclaim Tunisia's moral identity.⁶ These targeted acts, led by members of communities rather than a formal government authority, sharply reverberated among marginalised communities and organisations working with them. Organisations working in human rights and with vulnerable groups affected by HIV/AIDS in Tunisia became anxious about the attacks on the *maisons closes* so soon after the uprising began in December 2010. A woman supporting HIV/AIDS outreach work with sex workers explained, "These invisible forces appeared suddenly....They closed up the doors to the *maisons closes* with bricks. This caused quite a disruption...quite a few sex workers left the centre and moved underground to do clandestine sex work feeling it was safer."⁷

The downfall of a dictator opened a space in which numerous actors rushed in to seize the opportunity to genuinely and actively participate in the sociopolitical transformations of post-revolution Tunisia. New actors and groups immediately emerged at the forefront to claim new spaces and set fresh priorities for the Tunisian state. For some civil society actors manoeuvring in Tunisia's public spaces, the 2010–2011 uprising allowed them to have a strong voice that was previously muted under the former regimes. For others, the conflicts and contentions that emerged between civil society actors and groups brought different repressions and exclusions—this time not from the regime, but from among the actors engaging in collective activism and the various other groups that considered themselves part of "civil society." Consequently, more controversial or divisive issues such as the status of women, legalised prostitution, homosexuality, and human rights became highly contested as a multitude of disparate visions filled these new spaces. Vulnerable populations and the organisations working with them soon found themselves operating on uncertain terrain where continuing to support marginalised and routinely criminalised communities brought new challenges. Following the 2010–2011 Tunisia uprising, some of

⁶ Bensaïed, "Les Islamistes s'Attaquent aux Maisons Closes."

⁷ Informant 20: Country officer, multilateral development organisation; Tunis, 16 Jan. 2012 and 13 Mar. 2013.

these actors eventually developed nostalgia for a dictator where the rules of the game were clearly defined and they could freely operate within the discretionary parameters set by the authoritarian regime. The unsettled social, political and cultural situation made the future difficult to predict. Would the various conflicts between civil society groups serve as vital tools for widening previously constrained discursive spaces? Or ultimately, would the volatility and uncertainty of democratisation impede peripheral actors and consequently limit the likelihood of contentious issues entering Tunisia's national deliberations?

1. The downfall of a dictator and the resurgence of civil society

Mohamed Bouazizi's self-immolation in the town of Sidi Bouzid, on 17 December 2010, ignited a succession of uprisings across the Middle East and North Africa. Over the next several months, one revolution inspired another "in a domino effect of sympathy and solidarity"⁸ with Tunisia, Egypt, Yemen, Libya, Syria, and Bahrain all affected to varying degree. Individuals across the region relinquished their fear of repressive regimes, thereby revealing the true vulnerability of the ruling elites. Only two days after the 26-year-old Bouazizi's death on 4 January 2011, wider protests across Tunisia began and soon after, the government declared a state of emergency. Within weeks, cries of "*Ash-sh'ab yurid isqat al-nizam*" ("the people want the overthrow of the regime"), and "*khobz wa maa, Ben Ali leh*" ("Bread and water, no to Ben Ali") eventually led to Zine El Abidine Ben Ali's televised public acknowledgement of "*Ana fahmt*" ("I have understood"). On 14 January, he and his family fled for Saudi Arabia. Hamit Bozarslan poignantly writes that "the system appeared as 'unbelievable' in its own being than in its demand for obedience."⁹

Those spearheading and participating in the Tunisian revolution from December 2010 to January 2011 called not only for bread and water, but more broadly for employment, freedom, and dignity as the immolation of Bouazizi managed to encapsulate and direct attention toward the issues of inequality and humiliation.¹⁰ The more than 300 deaths in the days during and after 14 January strengthened the will of the protesters who united

⁸ Manhire, *The Arab Spring*, xi.

⁹ Bozarslan, "Réflexions sur les Configurations Révolutionnaires," 18.

¹⁰ Deboulet and Nicolaidis, "Les Hirondelles Font-Elles le Printemps?" 9.

together in the face of their own apprehensions against a repressive regime.¹¹ Protesters held night-time candlelight vigils for those killed in the violence and brought blankets, food, and tea to fellow demonstrators. Many report a time of unprecedented national solidarity and some today are still unable to believe they took part in the downfall of the Ben Ali regime. Kmar Bendana in *Chronique d'une Transition* observed, "The horizontal unfolding, which surprised journalists, diplomats, bloggers and spectators with its rhythm and efficiency...where Tunisians were perceived as positive heroes as well as protagonists involved in an unexpected democratic process."¹²

The initial outcomes of the Arab uprisings set out a path to what observers would come to consider to be a possible "fourth wave" of democratisation as Tunisia put in place democratic and multi-party election road maps alongside liberalisation measures. Following the 2010–2011 uprising in Tunisia, measures to initiate greater political liberalism were instigated almost immediately. In October 2011, Tunisia was the first post-revolution country in the Arab world to hold democratic elections. The transition from authoritarian rule soon nourished expectations among a range of stakeholders, from individuals to the international community, for an expansion of space for political liberalisation, pluralism, redistribution, and—perhaps most importantly—recognition. For example, Chantal Mouffe emphasised in her subsequent publication *Agonistics: Thinking the World Politically* that the Arab uprisings not only put the question of how to build a democracy back on the agenda in the Middle East and North Africa, but also took her articulation of radical democracy from the theoretical to the actual.¹³ In addition, scholars on the concept of "global civil society"—Helmut Anheier, Mary Kaldor, and Marlies Glasius—questioned in "The Global Civil Society Yearbook: Lessons and Insights 2001–2011" whether or not the uprisings in the region were the signal of a new beginning, the start of "a new political movement." They effectively argued that the events of 2011 gave new meaning to the concept of global civil society as the emerging emancipatory agenda fused with post-1968 issues of social justice.¹⁴ International optimism following the uprisings in the region reinvigorated interest in the links between democracy, development, and good governance—as did similar events in

¹¹ Bendana, *Chronique d'une Transition*, 66.

¹² Ibid., 61–62.

¹³ Mouffe, *Agonistics*, xv and 107.

¹⁴ Anheier, Kaldor, and Glasius, "The Global Civil Society Yearbook," 2–3.

Eastern Europe and Latin America in the 1980s—the concept of civil society was once again resurrected to serve as the “antonym of authoritarianism.”

From 2011 to 2013, the landscape for collective action and grassroots movements in Tunisia widened with the establishment of several thousand new civil society organisations. The deregulation of the former and more rigid laws of association allowed organisations operating in Tunisia’s physical and symbolic public spaces to engage more openly in a broad range of activities including civic activism, human rights, social welfare initiatives, and direct outreach work with deprived communities across the country.¹⁵ It is estimated that 1,700 new associations were created from January to October 2011, with a further 600 civil society organisations registering between October 2011 and March 2012.¹⁶ Individuals acting inside Tunisia’s public spaces also re-appropriated the concept of *muwatana* or *citoyenneté*, which refers to citizens feeling engaged and mobilised as equal partners in the future of the country, with or without the state to accompany them along the way. This took the form of popular protest, mass mobilisation, and demonstrations alongside collective activism. The concept equally manifested in growing notions of voluntarism among Tunisians, resulting in local collections for vulnerable communities, Tunisian diaspora raising money to purchase emergency transportation for their local towns, and even neighbourhood members meeting in a family’s garage to plan support to marginalised women. One could observe a return to the self-organisation of the grassroots, agency, self-determination, and self-management agendas set in community mobilisation unmistakeable in the popular social movements of Eastern Europe and Latin America only three decades earlier. Nevertheless, by looking more closely to this period, it is not only possible to discern multiple conflicts and contentions among civil society actors and organisations, but also to perceive the combined sociopolitical divisions that have a remarkable effect on the various groups that materialise following the downfall of a dictatorship. With the multitude of inclusions and exclusions that take place among and between both secular and non-secular

¹⁵ During the first phase of Tunisia’s transition the “High Authority for the Realisation of the Objectives of the Revolution, Political Reform and Democratic Transition” was established to oversee the transition from revolution to elections. Among its many remits it was also tasked with modifying the text on the laws of association. For additional information see Zemni, 2014 and Guellali, 2011; and decree laws no. 14 of 23 Mar. 2011 and no. 27 of 18 Apr. 2011.

¹⁶ Union Européenne, “Rapport de Diagnostic,” 5.

civil society actors during a period of simultaneous disruption and transformation, various groups consequently emerge either as publics or are sidelined as peripheral counter-publics.

This thesis is situated within the highly tumultuous and uncertain period from the downfall of the Ben Ali regime in 2011 to the two years of social, political and economic transformation following this critical event in the history of Tunisia. It ultimately looks to what happens when a space opens up and who rushes in to fill that ephemeral space. In order to do this I examine the myriad actors and organisations that consider themselves “civil society,” including those organisations established during the period of authoritarian rule prior to December 2010 as well as the nascent organisations created through the revised and expanded laws of association in 2011. This thesis contends that just as there are areas of consensus and solidarity among these different actors, there are also areas in which there is intense disagreement and divergence. Just as there can be harmony among these actors, there can also be conflict. In particular, the thesis looks to the conflicts and contentions that emerged among the different elements of civil society during a period of remarkable sociopolitical transformation in which the stakes were arguably higher in regards to defining national priorities. Identifying the areas of conflicts during these periods can reveal the characteristics that contradict “liberal” understandings of civil society as well as demonstrate the destructive nature of democratisation itself. This analysis also aims to determine whether these conflicts and contentions are destructive or in fact productive forces to maintain deliberative spaces for discursive contestation—as agonistic forces for consolidating pluralist democracies. The overarching purpose and question for the research is to consider *how conflict is manifested among and between civil society actors and groups*. This approach centres on examining both the areas in which these conflicts take place and the consequences of these emerging contentions.

This thesis seeks to further understand and clarify these issues by undertaking a conceptual and an empirical analysis of civil society to establish what actually transpires among civil society actors and groups. The research therefore analyses how these conflicts are manifested among civil society actors—in the symbolic and physical occupation of the public space, within social divisions, and in mapping national democratic priorities. Therefore, as the primary context for the research is grounded in events that took place during the two

years subsequent to the downfall of the authoritarian regime in Tunisia in January 2011, this thesis identifies and explores three principal themes: the “illiberal” effects of the opening of the public space(s), the emerging sociocultural and socioreligious divisions (including the rise of associational or social Islam), and finally the exclusionary (and undemocratic) nature of consensus in “liberal” democracies. Effectively, these three themes bring into sharp relief the notion that civil society became more conflictual and contested across its diverse elements during the two years following the Tunisia uprising in 2010–2011 than it was previously under authoritarian rule. This in turn not only has direct implications for donor-led “civil society strengthening” and “democracy promotion” initiatives in middle- and lower-income countries, but also further casts doubt on the premise that civil society represents an alternative to dominant donor and development discourses enshrined in the neoliberal architecture today.

Situating the research within marginalised communities

In order to give weight to this analysis, this research is primarily grounded in the discipline of development studies, in particular in terms of how it analyses and situates the concept of civil society in neoliberal frameworks and in liberal democracy. The research engages in a critical examination of the concept of civil society, looking to contemporary and neoliberal understandings of the concept in which the conflicts among these actors are both emphasised and de-emphasised throughout history. The definition of civil society throughout this thesis is a field of actors, groups and organisations, acting and manoeuvring within a multiplicity of physical and symbolic public spaces. These public spaces serve to harness a discursive arena in which these different actors can deliberate and contest critical matters of concern. This approach allows for a further contribution into how civil society is understood conceptually and empirically in different contexts, namely during transitions from authoritarian rule.

The research also conceptualises a specific understanding of civil society namely through the nongovernmental organisations (NGOs) as framed in the neoliberal understanding.¹⁷ By effectively situating civil society within neoliberal frameworks, the research underscores

¹⁷ There are different meanings, understandings and versions of “civil society.” For example, and for greater clarity, Kaldor, *Global Civil Society: An Answer to War*, 10, outlines five versions: *Societas civilis*, *Bürgerliche Gesellschaft*, Activist, Neoliberal, and Postmodern.

that neoliberal policies have been designed with the fundamental premise that state expenditure is better directed toward creating an enabling environment for growth. Moreover, underpinning neoliberal policy is the notion that economic inefficiency or crises are the result of excessive state intervention. Neoliberalism has entailed a total reconfiguration of the social contract between the state and its citizens, often provoking significant socioeconomic disruption. Consequently, with the development of the “New Policy Agenda” and the Washington Consensus in the 1990s, the role(s) of civil society has become paramount in serving both as cost-effective providers of services and as torchbearers for democratic values and good governance. Moreover, the concept of civil society has since been rearticulated to contain a burden of virtues that even includes the instigation of the transition to and consolidation of democracy.¹⁸ The normative weight attached to this concept simultaneously celebrates these virtues while at the same time virtually empties the concept of meaning and value in today’s international development lexicon. More importantly, the primacy of the roles allocated to civil society within neoliberal policies has over time afforded these actors an unquestioned legitimacy in how they operate. Consequently, under these frameworks the conflicts, repressions, and exclusions that manifest among these actors are often overlooked or de-emphasised.

The research engages with these diverse understandings of civil society to further determine the motivations and aims of these different actors and to critically analyse the consequences of conflict among these groups and organisations. It looks to a range of actors who emerged to fill the public space following the Tunisian uprising in 2010–2011. This range includes not only nascent humanitarian development organisations but also organisations working with groups on the periphery, which may often be excluded from mainstream public discourses. Specifically, the research includes human rights organisations established before and after the downfall of the regime in 2011, humanitarian development organisations (including Islamic associations) created after 2011, and organisations working with communities living with and affected by HIV/AIDS and sexual minorities established before and subsequent to the uprising in Tunisia.

¹⁸ See Diamond, “Toward Democratic Consolidation.”

In particular, I chose to examine organisations working in HIV/AIDS (including the bilateral and multilateral entities which fund them) because many of these organisations work with vulnerable populations such as sex workers, homosexual populations, people who use drugs, and prisoners. Even though the work of these organisations often concentrates on close programmatic outreach interventions with affected communities, it also assumes an inherent political nature because many organisations advocate for the provision of costly HIV treatment by the government; highlight instances of institutional stigma and discrimination; and call for the eradication of controversial legal stipulations that criminalise sex work, homosexuality or same-sex relations, and drug use. This research emphasises, and at the same time advocates, that it is vital to research communities that are routinely marginalised. Through HIV/AIDS one encounters highly contentious and in fact illegal groups of people who feel the brunt of any sociopolitical turmoil. More importantly, these groups serve to remind us that what happens on the periphery is indeed highly relevant to understanding the broader sociopolitical and sociocultural landscape of a country.

To provide some context to understanding HIV/AIDS in the region, the Middle East and North Africa continues to have one of the fastest-growing epidemics compared with other regions, with concentrated epidemics in each of the sub-regions including the Maghreb, Shaam or Mashriq, and the Gulf Cooperation Council (GCC) countries. With a rise in new infections since 2001, the total number of adults and children living with HIV in the Middle East and North Africa region was estimated to be 270,000, with new infections increasing by 55 percent over the last ten years (from 22,000 to 34,000).¹⁹ The increase in new infections is attributed to a growing HIV prevalence among key populations at higher risk of acquiring HIV who transmit the virus to individuals both at higher and lower risk of infection. In 2011, the estimated number of deaths due to HIV/AIDS was 16,500.²⁰ These trends and figures are the result of an overall acceleration in the epidemic throughout the region, an increase in the total number of women living with HIV, and the continued lack of adequate services to prevent new infections, particularly among children.²¹ The HIV epidemic in the Middle East increasingly reflects the diversity of the region, as different populations are more heavily

¹⁹ UNAIDS, *Regional Report 2013*, 18.

²⁰ Ibid.

²¹ UNAIDS, *Middle East and North Africa*, I.

affected in various geographical areas. This diversity is magnified by disparate attitudes, policies, political commitments, and availability of and access to HIV/AIDS services.²² Moreover, conflicts and sociopolitical unrest across the region over the last several years have also exacerbated the epidemic by not only disrupting vital services, such as access to treatment and service delivery, but also by aggravating the conditions that intensify vulnerability to acquiring HIV/AIDS.²³

In selecting this range of organisations for the research (and the populations with which they work)—and by including civil society organisations that operated both during the Ben Ali regime, as well as organisations that were established after the regime’s downfall—the thesis brings into relief the multiple challenges and advances these organisations experienced. Moreover, it sheds further light on the formidable role of the state, which regularly opens and tightens the spaces within which these organisations function. Finally, it is often easy to overlook the groups and actors that find spaces contracting around them during periods of sociopolitical transformation as the priorities for democratisation are outlined and the hierarchy of concerns push certain issues and groups to the periphery; some are even negated entirely. This tightening of certain spaces for individuals and organisations underscores the complex and unstable nature of democratisation and more importantly, the fundamental role of conflict within and among civil society actors. Issues perceived as contentious are often sidelined in favour of those that are acceptable to the greater public and that equally feature the collective imaginings of a country’s new national identity. These new sociopolitical imaginings can mask emerging groups and contestations in order to adhere to one of the core principles of pluralist democracy—consensus. This raises questions regarding the advantages and the disadvantages of continuing to uphold and endorse the term civil society, in particular given the nature in which the concept is diffused during transitions from authoritarian rule.

²² UNAIDS, *Middle East and North Africa*, II.

²³ UNAIDS, *Regional Report 2013*, 20.

2. Tunisia in transition: a critical approach

Conducting research immediately following what was considered the height of the “Arab Spring” brought challenges as well as, more importantly, the opportunity to observe a period of remarkable sociopolitical transformation under the microscope. Following the downfall of the Ben Ali regime in Tunisia, the country was not only closely monitored by newly politicised Tunisian nationals, but also by international governments, policymakers, donors, and academics globally. After decades of authoritarian rule across the region, onlookers followed Tunisia in hopes that the power of *Al-Shaab* could triumph over infamously corrupt and repressive regimes. This thesis looks closely to the transformations within civil society from January 2011 to July 2013, from the peak of the post-revolution euphoria to the moment enthusiasm for a smooth transition effectively waned following the targeted assassinations of opposition political actors Chokri Belaid and Mohamed Brahmi. The overall context of this thesis is situated within the period of political and social transition for the Middle East and North Africa, and for Tunisia in particular. This is to bring into further relief what actually transpires empirically within the physical and a symbolic public spaces in which civil society actors and organisations manoeuvre during periods of sharp and often turbulent sociopolitical turmoil.

It can be argued that there is power in an idea and that the idea of democracy has spread across the majority governments and societies globally during the last century. Transitions from authoritarian, totalitarian, or military rule have often been linked to “waves of democratisation” documented from the 1800s. In the last three decades the number of democracies has risen to its highest peak, from 69 in 1989 to 120 in 2000–2001 with the crest of the wave, before declining slightly to 115 in 2011.²⁴ Samuel Huntington’s euro-centrist notion of a “wave of democratisation” refers to a multitude of countries that transition from nondemocratic to democratic regimes within a similar time frame and which consequently outnumber transitions in the opposite direction during that same period. These theories derived their popularity in part from the events and popular social movements that took place in Eastern Europe and Latin America in the 1980s, in what was

²⁴ Freedom House www.freedomhouse.org/template.cfm?page=637 as cited in Mischizivetz, “Lost in Transformation,” 55.

considered by Huntington as the “third wave of democratisation,” in particular with the collapse of Communism and the fall of the Berlin Wall in 1989.²⁵ While Huntington’s analysis is problematic for a host of reasons, his notion of the “wave of democratisation” re-manifested, perhaps uncritically, following the events of 2010–2011 in the Middle East and North Africa where the world witnessed the downfall of a number of authoritarian regimes and when several countries transitioned toward an “uncertain something else.”²⁶

Contextualising the thesis in part within the “transition” is not without contention, however, just as scholars are cautious in their use of concepts such as “revolution” versus “uprisings” when reflecting upon events in the region during this time. There is a limited amount of literature on transitions from authoritarian rule, and existing literature mainly focuses on the transitions from totalitarian and military rule in Southern and Eastern Europe, and Latin America.²⁷ Moreover, the literature concentrates on the “transition to democracy,” suggesting both a normative and linear consideration of the trajectory of the state to a final end point manifesting in both stable macroeconomic growth and democracy. It is for this reason that although this research is situated during what international policymakers and donors often consider a transition phase for Tunisia (2011–2013), the concept of transition deserves critical scrutiny. I acknowledge those comparisons to the transitions in Latin America and Southern and Eastern Europe where they can be made, but I also urge careful consideration when comparing the events across the Arab region, in particular in terms of how they relate to generalities between “transitions to democracy.” There are indeed commonalities across these disparate countries and events; however, the specificities can also remind us that a transition concerns not only democracy, but also the critical socioeconomic and sociocultural transitions that can play out. For this reason, and throughout the thesis, while a transition is acknowledged to have taken place, I avoid semantic and/or linear links to the “transition to democracy.” This thesis emphasises Guillermo Schmitter and Philippe O’Donnell’s notion of the “uncertain something else,” which allows for the capturing of the “extraordinary uncertainty of the transition, with its

²⁵ Huntington, *The Third Wave: Democratization in the Late Twentieth Century*.

²⁶ O’Donnell and Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions*, 3.

²⁷ See Huntington, *The Third Wave*; O’Donnell and Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions*; O’Donnell, Schmitter, and Whitehead, *Transitions from Authoritarian Rule: Comparative Perspectives*; Miszlivetz, “Lost in Transformation;” Diamond, “Toward Democratic Consolidation;” and Denoeux, “Promoting Democracy and Governance in Arab Countries.”

numerous surprises and difficult dilemmas.”²⁸ Rather than to understand transitions as both normative and linear considerations regarding the trajectory of the “modern” state, the understanding and use of transition throughout this thesis instead emphasises sociopolitical and socioeconomic *disruption, change and transformation* at manifold levels. Effectively, it argues transitions must be disruptive to be transformative.

Generalities and specificities of the transition

Before describing the methodology for the research, it is important to briefly engage with some of the literature on transitions from authoritarian rule. This will allow what is specific to the nature of the transition in Tunisia following the 2010 uprising to be brought into sharper relief across the thesis. Schmitter and O’Donnell refer to the transition as “the interval between one political regime and another.”²⁹ Their analysis ceases from the point at which a new regime is installed. They write, “Transitions are delimited, on the one side, by the launching of the process of dissolution of an authoritarian regime and, on the other, by the installation of some form of democracy, the return to some form of authoritarian rule, or the emergence of a revolutionary alternative.”³⁰ Given the different attempts to set out some general parameters to define and understand transitions from authoritarian rule based upon the experiences of countries in Southern and Eastern Europe and Latin America, it is important to set out what is general overall to sociopolitical transitions. There are for example three areas that are general, or in which there are commonalities across, at least, the initial stages of the sociopolitical transitions in Eastern Europe, Latin America, and the Middle East. They are: 1) the mobilisation or a popular upsurge on behalf of the citizen population, 2) the processes for redefining or extending rights or “liberalisation” measures, and 3) the “resurrection of civil society.” There are also areas that are particular or specific to the transition in Tunisia and the Middle East and North Africa. They are: 1) severe macroeconomic instability/crises, 2) initial and growing violence in the aftermath of the transition, and 3) Islamism as a religious ideology and as a political system.

During the sociopolitical transitions that took place in Eastern Europe, Latin America, and the Middle East and North Africa, one can point to similar captivating and vivid, oscillating

²⁸ O’Donnell and Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions*, 53.

²⁹ Ibid., 6.

³⁰ Ibid.

images of masses of citizens participating in what O'Donnell and Schmitter refer to as the "popular upsurge." These images portray a very physical occupation of space by individuals in peaceful protest adhering to non-violent collective action, for example during the Velvet Revolution in Prague in 1989 as well as the protests on Avenue Bourguiba in Tunis in 2010 and 2011. O'Donnell and Schmitter write:

The catalyst in this transformation comes first from gestures by exemplary individuals, who begin testing the boundaries of behavior initially imposed by the incumbent regime....In the precarious public spaces of the first stages of the transition, these individual gestures are astonishingly successful in provoking or reviving collective identifications and actions; they, in turn, help forge broad identifications which embody the explosion of a highly repoliticised and angry society.³¹

The often non-violent and heterogeneous nature of the popular upsurge not only brings along with it the element of surprise but also a physical and symbolic representation of the "people" united in solidarity against authoritarianism or totalitarianism. This popular upsurge can also involve mass unrest, non-compliance, multiple and often simultaneous demonstrations across urban and rural centres, tactics of disruption, and popular activism. For example, following the self-immolation of Mohamed Bouazizi on 17 December 2010, national scale mass mobilisations had organised only ten days later across Tunisia in Al-Miknassi, Kairouan, Sfax, Ben Guerdane, and Tunis. What is important to acknowledge is that not only did these various popular upsurges eventually contribute to the momentum of the downfall of a host of authoritarian and totalitarian regimes across the three regions in the 1980s and again from 2010-2011, but these mass demonstrations were also maintained across several weeks and months in order that initial moves towards regime change and democratisation did not dissipate or flounder.

Not long after the initial moments of mass popular mobilisations, political liberalisation and the "resurrection of civil society" were also general features across the sociopolitical transitions in these different regions. The regimes that underwent sociopolitical transitions (and which pursued paths to some form of democratisation) in Eastern Europe (Czechoslovakia, Hungary Poland, and Yugoslavia), Latin America (Argentina, Bolivia, Brazil,

³¹ O'Donnell and Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions*, 49.

Chile, Peru, and Uruguay) and the Middle East and North Africa (Egypt and Tunisia)³² all at one point or another introduced a range of procedures to redefine and extend rights to citizens. Such liberalisation measures often came after extensive periods of repression or strict restrictions against collective action, political opposition, free speech/press, and the right to association; they were either immediately introduced prior to the downfall of the regime or within the first months of the transition. This, in some cases, almost immediate opening up of the public space entailed the registration of new (or resurgent) political parties, the liberalisation of the press and broader media, and the drafting (or redrafting) of laws of association allowing a multitude of different forms of collective activism and mobilisation to emerge. O'Donnell and Schmitter write, for example, that “data sources, book manuscripts, essays, and pieces of research which were prepared during the years of severe repression but which authors could not (or dared not) make public now emerge... Thus, once the first steps toward liberalisation are made and some dare to test their limits, the whole texture, density, and content of intellectually authoritative discourse changes...”³³

Often as a result of these liberalisation measures during those initial stages of the transition from authoritarian or totalitarian rule, one begins to witness the “resurrection of civil society.”³⁴ One could argue that it is highly likely that different forms of this kind of collective organisation of civil society existed before the downfall of the incumbent regime, for example either through a degree of sanctioned civil society permitted by the authoritarian regime or clandestine social movements/activism hidden under the radar to guard against despotic predispositions on the part of the state. Nevertheless, this resurrection occurs when the cost of collective action and mobilisation are lowered, and more importantly when fear is no longer a factor.³⁵ O'Donnell and Schmitter, referring to Latin American and Eastern European cases, observe, “There are suddenly a multitude of popular forums...in which the exercise and learning of citizenship can flourish in

³² Although a number of the countries in which citizens staged mass protest following the uprising in Tunisia in 2010 did result in the downfall of authoritarian regimes such as in Libya and Yemen, as a result of ongoing conflict these countries have not been engaged in consistent processes to democratise their political systems.

³³ O'Donnell and Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions*, 51.

³⁴ Ibid., 48.

³⁵ See Gunning and Baron, *Why Occupy a Square*; Beinín and Vairel, “Afterword: Popular uprisings in Tunisia and Egypt;” and O'Donnell and Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions*, 49.

deliberations about everyday concern.”³⁶ Detailing the risks taken by human rights activists during the transitions from military rule in Latin America, O’Donnell and Schmitter also underscore the powerful and critical element of the “recovery of personal dignity” inherent in the (re)emergence of some of these organisations during this potent period of “resurrection.”³⁷ The notion of “dignity” featured prominently alongside “employment” in the principle slogans of the Tunisian uprising, carrying with it a moral authority to give name to the violence and repression of the Ben Ali regime. And while the concept of civil society will be explored in greater detail in the next chapter, as well as in relation to mobilisations in Eastern Europe and Latin America, it is important to recognise the (re-)emergence of these actors and organisations immediately prior to or following transitions from authoritarian rule. In the transition countries considered as part of the “third wave of democratisation” and in post-uprising Tunisia, thousands of civil society organisations were established to participate in the rebuilding of what would come after years and in some cases decades of authoritarian rule. And while it is not within the scope of this thesis to articulate whether or not civil society is/was effective in the transition to or consolidation of democratic outcomes,³⁸ this “resurrection” is not without consequence.

Given some of the commonalities in these regions and what can be argued is general to transitions from authoritarian or totalitarian rule, it is also necessary to articulate what is specific and particular to the transition period following the downfall of the Ben Ali regime in Tunisia in 2011. The first area, which is particular to the Middle East and North Africa, and to Tunisia, lies in the macroeconomic specificities. The macroeconomic specificities are significant as they are situated in arguments advocating that once a country reaches a certain point of strong macroeconomic stability and growth, or socioeconomic status, its citizens will consequently demand more representative and accountable governance institutions.³⁹ However, despite the security that oil rents have provided the region, the Middle East and North Africa until 2010 had some of the lowest growth and human development indicators across all middle- and lower-income countries.

³⁶ O’Donnell and Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions*, 53.

³⁷ *Ibid.*, 52.

³⁸ Diamond, “Toward Democratic Consolidation.”

³⁹ Based on the theories of Seymour Lipset; see Waterbury, “Democracy Without Democrats?” 24.

From the 1970s, countries in the Middle East and North Africa adopted policies of *infitah* (opening), whereby the privatisation of the public sector was accompanied by a diminishing social contract between the state and its citizens.⁴⁰ From this period the gross domestic product (GDP) per capita average annual growth rate in the Middle East and North Africa from 1970–1990 and from 1990–2010 was -0.2 percent and 2.4 percent, respectively. From 1990–2010 this growth rate was lower than all other middle- and lower-income regions bar sub-Saharan Africa (2 percent from 1990–2010).⁴¹ Moreover, from 2000–2008 GDP average annual growth rate was 4.7 percent for the Middle East and North Africa representing the lowest across all regions during this period.⁴² Despite some of the lowest growth figures overall for the region in comparison to other regions during the same period, what is particular to the region is the “social situation” or what Gilbert Achcar refers to as three critical words that are specific to the Middle East: poverty, inequality, and precarity.⁴³ And while Achcar provides a much more in-depth analysis in *The People Want*, it is worth pointing out some of these particular social indicators here. The unemployment rate in 2010 for North Africa of 9.6 percent, for example, was higher than that in sub-Saharan Africa (8.2 percent) and higher for all other regions outside the Middle East.⁴⁴ Moreover, the unemployment rate of youth in 2010 in North Africa of 23 percent was also far greater than any other region outside the Middle East.⁴⁵ In addition to figures that set out some of the highest levels of female unemployment and total youth in the population, the social development statistics for the region are critical and particular. O’Donnell and Schmitter argue that authoritarian regimes typically leave problematic economic legacies,⁴⁶ but the social implications are equally as poignant and relevant for the transition. In the case of Latin America for example, economic fundamentalism played a critical role in transitions from authoritarian rule. And while countries in the Middle East and North Africa did adopt some neoliberal policies, Achcar writes, “Arab states are far from fully complying with the neoliberal model.”⁴⁷ Among the factors that are particular to the region are the large proportion of middle classes that are directly dependent or employed by the state,

⁴⁰ Achcar, *The People Want*, 23.

⁴¹ Ibid., 24.

⁴² Ibid., 27.

⁴³ Ibid., 29.

⁴⁴ Ibid., 38.

⁴⁵ Ibid., 40.

⁴⁶ O’Donnell and Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions*, 46.

⁴⁷ Achcar, *The People Want*, 71.

repression and violence inflicted by regimes on their citizens to maintain legitimacy, and the prevalence of armed conflict across the region.⁴⁸

Based on this it is also necessary to highlight that in Eastern Europe and Latin America, the transitions to democracy were regarded as relatively peaceful and non-violent despite stagnation and crisis. Human Rights Watch and Amnesty International reports from 8–12 January 2011 noted that in Tunisia protesters were shot in the back, head, abdomen, and chest, with over 50 deaths by police and state forces during this period alone. Moreover, in Egypt the regime's "hired thugs" on horses and camels threw rocks and whipped crowds in Tahrir Square.⁴⁹ Violence in the two countries continued in the months and years following the downfall of the Ben Ali and Mubarak regimes as both countries attempted democratisation. Only two years after the uprising, in February 2013, Chokri Belaid, a Tunisian politician and lawyer who was a key opposition leader with the secular-left Democratic Patriots Movement, was assassinated outside his home in Tunis. Five months later, in July 2013, Mohamed Brahmi, the founder and former leader of the People's Movement, was also shot (14 times) outside his home.⁵⁰ More recent and worrying signs of violence culminating in 2015 with terror attacks outside the Tunis Bardo Museum and tourist beaches in Sousse point to uncertainty and instability in Tunisia's transition from authoritarian rule, with no guarantees that the democratic presidential elections of 2014 won by 88-year-old Beji Caid Essebsi of *Nidaa Tounes* would yield lasting democratic outcomes for Tunisia.

Finally, what is specific to the Middle East and North Africa is the religious ideology of Islam and Islam as a potential political system. In the case of Tunisia, while Islamists did not instigate the transition, they did play a critical role in the shaping of Tunisian democratisation in particular during the two years following the downfall of the incumbent Ben Ali regime. While more will be said on the role of Islam in Tunisia and the Ennahda party following the October 2011 elections, democracy does not necessarily entail more "open" societies. In Tunisia, Islam played a critical role in shaping the debates of the National

⁴⁸ Waterbury, "Democracy Without Democrats?" 26–33.

⁴⁹ Beinun and Vairel, "Afterword: Popular uprisings in Tunisia and Egypt," 240 and 245.

⁵⁰ "Tunisian Politician Mohamed Brahmi Assassinated."

Constituent Assembly, debates that did not always reflect the “liberal” ideals of human rights and equality. Outside the halls of these debates, antagonistic and highly contentious battles at the sociocultural level unfolded between Islamist and secular factions of the population whereby the impiety associated with the former regime was a target, including the status of women, human rights, legalised sex work, and homosexuality. During what was a significantly contentious period of the transition for Tunisia, from 2011 to 2013 (and which arguably continues today), democracy could not necessarily be equated with “liberalism.” The role of Islam in the region has made this specific to the transition and shaped, for better or for worse, the democratic outcomes in Tunisia up until today.

The events in the Middle East and North Africa almost instantaneously led to an association with the “third wave of democratisation” in Eastern Europe and Latin America during the 1980s, even referring to the outcomes of the Arab Uprisings as potentially the “fourth wave.” Underpinning these comparisons are masked suggestions of modernisation theory whereby all states share a final or linear end point of maintaining democratic political systems alongside macroeconomic stability. Moreover, those countries that do make the “transition to democracy” are also capable of eventually institutionalising new and more severe forms of authoritarian rule. Despite appearances and viable democratic elections following the downfall of the authoritarian regime in Tunisia in 2011 and again in 2014, the situation is still very much in flux. This, and in particular the specificities of the transitions from authoritarian rule observed today in the region, render the more hegemonic understandings of transitions problematic. Therefore, rather than disregarding the term completely, this thesis engages with the term “transition” in its most stripped down and bare form—as a simultaneous process of disruption and transformation, as a tool to invite openness to uncertainty.

3. Methodology for the research

The futures are much closer to us than any pasts we might want to return to or revisit. What does it mean to be examining, absorbing, feeling, reflecting on, and writing about the archive as it is being produced, rushing at us—literally, to entertain an unfolding archive?

*--Jasbir K. Puar,
Terrorist Assemblages⁵¹*

This research began with a question: what is the nature of civil society in the Middle East and North Africa? First, this question emerged based on the assumptions of others. Across my own previous professional interactions working in the Middle East and North Africa, it was often argued that civil society was somehow an aberration in the region. Second, this question emerged based on my own assumptions. As a development practitioner working in the field of HIV/AIDS and sexual health, I perceived that civil society organisations working with vulnerable and marginalised groups would certainly face insurmountable challenges, including repression and violence, under authoritarian regimes. Therefore, the research ultimately sought to disentangle and further engage with the concept of civil society both theoretically and empirically in the Middle East and North Africa as it related in particular to marginalised groups and the organisations that chose to work with them in constrained contexts. For example, across the Middle East and North Africa homosexuality is criminalised through formal penal codes, sex work outside of legalised institutions is a criminal offense, and drug use is illegal. Organisations that work with these criminalised and marginalised populations choose to operate in the unlawful, the prohibited, and the forbidden.

Methods in transition

In 2011, the outcomes of the Arab uprisings reverberated across the entire Middle East and North Africa region and internationally. Although the uprisings effectively presented numerous dilemmas for researchers in the region, they also opened up opportunities to indirectly participate in the aftermath of the revolutions. For a researcher interested in the concept of civil society the Arab Uprisings brought fertile terrain, as the concept appeared to be almost instantaneously resurrected as a strong echo of the mass mobilisations and

⁵¹ Puar, *Terrorist Assemblages*, xix.

popular upsurges among citizens in Eastern Europe and Latin America in the 1980s. As a consequence of sustained popular pressure on behalf of protesters, measures to initiate political liberalism in Tunisia came into effect relatively immediately after the downfall of the Ben Ali regime in 2011. As a result, an election road map was outlined, former and newer political parties were recognised, and the laws of association were redrafted. The space effectively opened. Thousands of new civil society organisations rushed to fill what was fast becoming a pulsating space for collective action. Nevertheless, there was often the argument that the events in the region at the time were too fresh and erratic to evaluate—and that furthermore, scholars must wait “until the transition has ended” to effectively analyse the impact of the 2011 uprisings on the disparate non-state actors, including those acting on the periphery. The social and political upheaval brought by the downfall of an authoritarian regime is important in that it can enormously affect the various actors living through it. More importantly, this upheaval can also reveal a great deal about the role of conflict, including whether or not it serves as a destructive or a productive force for civil society actors.

Jasbir Puar, citing Achille Mbembe, contends that when researching in similar contexts one can mistakenly attempt to delineate between stability and chaos, whereby time is perceived in its “normal” state as linear. She problematises the notion of time as having a “steady rhythm”⁵² and so encourages her readers to be receptive to what might emerge from “chaos” rather than to characterise its presence as abnormal. Moreover, O’Donnell and Schmitter advocate the value of adopting a theory of “abnormality” in which the unexpected and the possible are as important as the usual and the probable.⁵³ A theory of abnormality would also allow scholars to account for a period during which a variety of hegemonies are being challenged, and in which fierce battles to articulate which worldview will define the new sociopolitical order play out.⁵⁴ The decision to continue my research during this sporadic and fluctuating period demanded a flexible research model, but it also permitted the opportunity to observe a country under the “democratisation” microscope. By effectively integrating Puar and O’Donnell and Schmitter, I allowed my research

⁵² Puar, *Terrorist Assemblages*, xix and xx.

⁵³ O’Donnell and Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions*, 4.

⁵⁴ Voll, “Sultans, Saints, and Presidents,” 3.

framework to be open to the chaos of this kind of sociopolitical transformation as a determined strategy and so maintained my own theory of abnormality throughout.

Given the uncertainty of sociopolitical transformations following the downfall of a regime in place for over two decades, it was necessary from the outset to adopt an inductive approach with primarily descriptive research to examine the nature of the relationships between the different civil society actors and groups. The research was intended as cross-sectional research as well as a correlational study as I analysed four main areas—the role of the state in shaping/influencing how civil society is able to operate; the disparate actors and multitude of organisations which not only considered themselves civil society, but which also emerged following the uprising to create civil society organisations; the range of strategies different civil society organisations employed to meet their objectives; and perhaps most importantly, the key issues of conflict and contestation emerging among these actors. Through the examination of these four areas, the research could concentrate on the critical areas as well as consequences of the conflicts that emerged between these actors and groups during Tunisia's transition from authoritarian rule. From the initial question that brought me to this research, where I sought to understand the nature of civil society in the Middle East and North Africa, I perceived both harmony and conflict among a multiplicity of actors who considered themselves members of civil society. The approach I developed and have adopted herein serves to guide the thesis by critically exploring specifically how conflict is manifested among civil society actors and groups. First, this requires an analysis and critique of how the concept is understood as well as an empirical investigation into what actually transpires within and between civil society actors and organisations. Second, it necessitates a more in-depth analysis of the areas where these conflicts take place—the public space, within social divisions and during the drive towards popular consensus as Tunisia defines its new national priorities, such as through the body of the National Constituent Assembly.

In order to effectively address the main research question and its core themes, the research undertaken was primarily qualitative in conjunction with an analysis of printed and online press and organisational documentation and a review of relevant literature. The qualitative analysis involved an examination of the results of semi-structured in-depth interviews with

a range of actors. During this period of sociopolitical turmoil, I felt it even more necessary to adopt a flexible research design as well as different methods of data triangulation to bring to light emerging themes and inconsistencies within the research. For participant selection, I relied on the data collected from December 2010 to November 2011 for the United Nations Joint Programme on HIV/AIDS (UNAIDS) Middle East and North Africa civil society organisational mapping (unpublished).⁵⁵ With permission from the UNAIDS Regional Support Team (RST) based in Cairo, I was able to apply the mapping to initially identify organisations working in HIV/AIDS in Tunisia and the target groups they prioritised for outreach work and support. After commencing the field research in Tunisia with the HIV/AIDS organisations, I then adopted the approach of “snowball sampling” to also access a spectrum of outreach workers, lawyers, organisations focusing on women’s rights and human rights more broadly, humanitarian development organisations including the Islamic associations, and international donors. Participant selection was neither random nor haphazard as every participant was either known by me directly or introduced to me through a friend or colleague.

One of the limitations of this research is that the majority of the actors and organisations who participated in the qualitative interviews were secular and from the middle classes. Across the Middle East and North Africa many organisations working in human rights and with individuals living with and affected by HIV/AIDS have similar typologies. Furthermore, this is a theoretical-based research with a focus on civil society prior to the downfall of the Ben Ali regime and during the political transformations following the 2010–2011 uprising. This research is effectively a study of civil society through the case study of Tunisia. Therefore, the research does not present an exhaustive set of literature on the primary sociopolitical and historical phenomena of Tunisia. The materials that feature in the thesis instead represent a selection of sources as background literature to highlight the theoretical issues I engage with.

⁵⁵ I acted as the lead consultant for the UNAIDS MENA RST region-wide civil society organisational mapping in October 2010. The mapping involved a combination of quantitative surveys along with semi-structured interviews with staff members working in humanitarian development initiatives that supported HIV/AIDS programmes and interventions (see Annex 1 for survey used in initial mapping).

It is also important to emphasise that this thesis does not aim to make a determination as to whether or not civil society actors and organisations were instrumental either in the transition to or consolidation of democratic outcomes. Prior to the uprising in Tunisia, numerous actors participated in a gradual chipping away of the Ben Ali regime over several years, with acts of both overt and underground resistance. The research does not attempt to catalogue all of these diverse actors or the multiplicity of their actions. Furthermore, during the approximately two-year period this thesis examines, the transition from authoritarian rule in Tunisia was very much still ongoing, with rapid and shifting involvements in the both the physical and symbolic public space(s). While the thesis does analyse the role of conflict as well as how civil society actors and groups manoeuvre once liberalism and pluralism are pursued following the downfall of a dictatorship, it cannot attribute a concrete end to the actions of civil society with a sociopolitical and socioeconomic transition still very much in process.

Finally, similar to Jeroen Gunning and Illan Baron, I am not making a definitive statement on how civil society is conceptualised; rather, I articulate a “contribution” to how these disparate actors and groups are understood conceptually and empirically in disparate contexts. This research contributes to an existing gap in the literature on civil society in the Middle East and North Africa, as well as empirical evidence on what actually transpires among civil society actors during transitions from authoritarian rule. My contribution on civil society in Tunisia, such as with Gunning and Baron’s research on social movements in post-revolution Egypt, is therefore time-specific; its fundamental purpose is to encourage debate and to remain open to new meanings when they emerge.⁵⁶ But more importantly, I hope to encourage academics, policymakers, and donors who regularly engage with the often overused and misused concept to do so in a critical manner, one in which the tremendous volatility of the interactions and relationships between these groups and actors is appreciated. Throughout the thesis I appreciate Jasbir Puar’s integration of Gayatri Chakravorty Spivak’s notion of “politics of the open end” whereby she is “positively enticing unknowable political futures into our wake.”⁵⁷ The events that transpire following the downfall of an authoritarian regime can afford a snapshot for analysis during a finite but

⁵⁶ Gunning and Baron, *Why Occupy a Square*, 20.

⁵⁷ Puar, *Terrorist Assemblages*, xx.

unpredictable period. Ultimately, some critical phenomena will not be captured and some questions will remain unanswered.

Field research in Tunisia

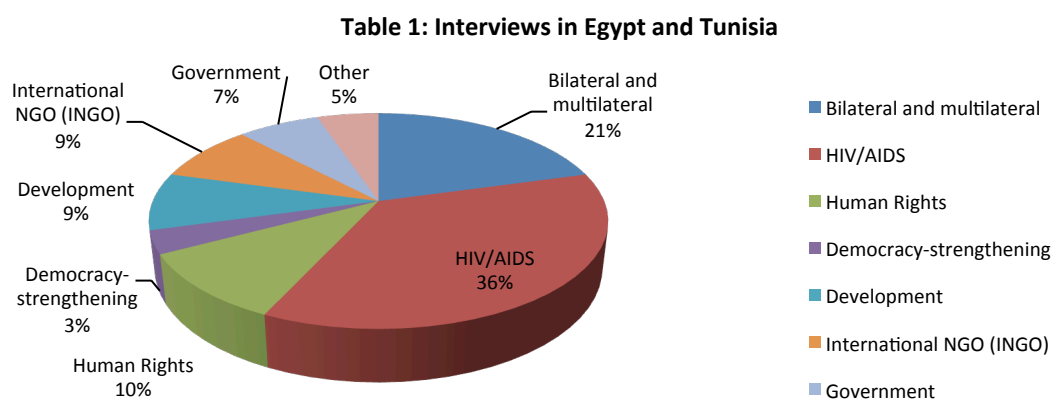
The field research was conducted over a series of phases during which I was able to come into and out of the turbulent transition process for Tunisia. The field research was divided into three core phases from September 2011 to March 2013. The initial phase involved an exploratory visit of six weeks to Egypt to conduct interviews with representatives of civil society organisations working in HIV/AIDS and human rights, multilateral institutions, and regional donors that at the time maintained their headquarters in Cairo. The second phase of research incorporated a six-week field visit to Tunisia to interview civil society organisations working in HIV/AIDS and human rights organisations, and multilateral and bilateral institutions that were giving technical support or resourcing HIV/AIDS interventions in the country. The third phase of research involved an additional visit of six weeks in Tunisia as the first visit yielded strong data and a more diverse set of actors willing to speak about the pre- and post-revolution contexts. I also returned to Tunisia in March 2013 for two weeks to follow up with some of the interviewees to determine how the sociopolitical environment had changed.⁵⁸

During the course of the three stages of field research, I conducted in-depth interviews with 58 individuals ranging from members or representatives of newly formed associations to “historic” associations, outreach workers, lawyers, organisations focusing on women’s rights and human rights more broadly, humanitarian organisations including Islamic associations, bilateral and multilateral donors (UNAIDS, United Nations Development Programme (UNDP), UN High Commission on Human Rights, World Health Organisation (WHO), US Agency for International Development (USAID)) and international NGOs, as well as people living with HIV (See Table 1 below for a breakdown of interviews by sector and annex 2 for a complete list of the organisational type and location).⁵⁹ It is important to note that interviews with the Egyptian civil society organisations, while not used directly in the thesis,

⁵⁸ Informants no: 18, 20, 25, and 38.

⁵⁹ Note: During the course of the research, given the post-revolution context, interviewees differentiated between new civil society organisations and “historic” associations referring to those that existed legally/formally before the revolutions in the region from December 2010.

substantially contributed to the development of the situation analysis and final research framework that was eventually applied in Tunisia.⁶⁰ In Tunisia, I interviewed 16 members of historic associations and conducted interviews with approximately eight newer organisations, including three Islamist organisations. However, a limitation of the research was the number of Islamist organisations I was able to interview—as many of these organisations were only just being established and often were reluctant to meet with an unknown researcher for an interview. Apart from the interviews with the Islamist associations, the majority of the research participants and the organisations within which they worked were also from the secular-liberal middle classes. The return field visit to Tunisia in the third stage of the research aimed to address this imbalance.



I conducted the interviews primarily in French in Tunisia and English in Egypt; where necessary, I used Arabic to be certain I understood the participant's answer correctly. For the research in Tunisia, by conducting the interviews in French, the milieu of participants sampled was also relatively restricted. The research was not able to access the poorer milieus engaging in associational activities. In the interview notes and in the final thesis, all interviewees are anonymous and the names have been changed; in addition, only with explicit verbal permission is the name of the organisation or institution cited in the thesis. After I explained to the interviewees my processes for maintaining confidentiality and anonymity, I requested verbal consent.

⁶⁰ From the 58 interviews, 10 were conducted with Egyptian associations and do not feature in the thesis.

By October 2011 Tunisia had established a multi-party National Constituent Assembly and already was in the process of creating new spaces for increased political liberalisation, namely changes to the laws of association initially established in 1959 under former President Habib Bourguiba. I had the opportunity to stay with a colleague's family in Tunis—his 78-year-old mother and 36-year-old sister. They lived in a gated home in downtown Tunis adjacent to the Ministry of Health and Ministry of Defence. I was hosted by an Islamist family, where the father of the family (deceased only years earlier) had served as an imam in one of the *grandes mosquées* for over 15 years. By living in the home of Islamic conservatives just after the fall of Ben Ali and the rise of Ennahda I was able to experience the euphoria and sense of excitement encompassing members of the family over the future of Islam in Tunisia. For example, one of my more memorable experiences was when the mother and sister returned from submitting new passport applications, with the new passport photos in hand. "Look," they said excitedly, showing me their photos wearing their *hijab* in the photograph, "we could never do this before, and since the revolution we can take our passport photos with our veils on, a sign of progress!" While many of my colleagues in Tunis and a large proportion of the research participants were secular, I felt that by living in an Islamist household, my perceptions and understanding of the uncertain transition facing Tunisia remained balanced as I was regularly exposed to both factions' interpretation and perspectives on events. The secular-liberal discourse was in fact hegemonic and individuals, such as those in the family with whom I stayed, were often the subject and object of this discourse. Through this lens, I was able to better recognise the complexity surrounding the secular-Islamist contestations occurring in Tunisia, and the wider region during this time. In effect, I was forced to re-evaluate the initial biases I carried to this research concerning civil society and Islam.

During the field research in Tunisia, I also attended two meetings as an observer, one to hear the findings of a recent study done on human rights and sexual minorities in Tunisia and another on human rights and the prevention and eradication of torture in Tunisia (during which the newly appointed Minister of Human Rights spoke). In addition, I also regularly reviewed press articles in the local Tunisian broadsheets and on the Internet, as well as tried to follow media sources on the sociopolitical transformations in Egypt following the downfall of the Mubarak regime. The press articles used for the research were featured

primarily in French and English. And while as a researcher I am aware of the bias that, for example, Francophone media in Tunisia can present, I often use these materials throughout the thesis to underscore sensationalist attitudes, myth-making, and anti-Islamist undertones rife during this period.

During the second field research visit to Tunisia, the benefits of being in a research context longer began to surface as I was invited to demonstrations, civil society capacity-building workshops and conferences, and site visits outside of Tunis. I also attended two larger civil society forums and workshops, the first being the “Support to Local Democratic Governance for the Construction of Peace in the MENA Region” hosted by the Netherlands and the “French-Tunisian Civil Society Forum” supported by the French Embassy, the *L’Institut Francais*, and *France Volontaires*. I also visited three sites in Sfax, *L’Espace de Jeunesse* (The Young People’s Centre), a drug rehabilitation centre and a *maison close*. Finally, I conducted two focus group discussions, the first with female clandestine sex workers and the second with drug users housed in the rehabilitation programme. As principal targets of the associations’ outreach and service programmes, I considered it would be useful to have feedback from the populations with whom they work on the effectiveness of these interventions and their post-revolution expectations. These were difficult focus groups to conduct for various reasons; nevertheless, I did gain a more profound sense of the incredible challenges facing these particular marginalised groups.

After the downfall of the Ben Ali regime, political actors also occupied visible platforms on both national and private television channels such as Nessma TV where politicians would experiment with populist style debates and interviews. One example was “The Truth leads to Peace,” in which in a talk-show format, a journalist interviewed new politicians as well as individuals associated with the former regime. One evening, during an interview with a former member of the Ministry of Interior, the host asked plainly, “How do you sleep at night and look your children in the face when you know you were responsible for the killing of innocent demonstrators?” So not only was there a perceived opening of the political space, but Tunisians appeared eager and mobilised to claim this space. Bendana writes, “Since the 14th of January, everyone reclaims his right to information, everyone wants to know everything. After fearful apathy and passivity, the curiosity of the Tunisians unleashes

itself.”⁶¹ This thirst for information and renewed politicisation even trickled over to young children. On the one-year anniversary of the revolution, families participated in the festivities on Avenue Bourguiba. The children themselves became politicised. I met children who could cite the names of military leaders and current key political figures. On one occasion I even noticed one of the nine-year-old nieces in the family where I was staying had an unflattering animated image of Colonel Muammar Gaddafi on her pink mobile telephone.

Moreover, approximately one year after the Tunisia uprising, interviewees conveyed the sense that things were “getting back to normal” with motorways being finished and a more visible police presence on the streets. However, major concerns of national identity focusing on issues such as the status of women took precedence in the government, the media, and in my conversations. These subjects consequently invoked some sensitive discussions in the Islamist home where I was staying. Leila, the 36-year-old daughter in the family with whom I resided, was a self-proclaimed Salafist, and over the years had evolved in her understanding of Islam from “theory to practice.” Since the revolution she regularly attended Qur’anic recitation sessions targeted specifically at women in the community through a local association; upon my return visit in 2013 I attended these lessons with her. On most evenings in the house, I sat with Leila as she watched her favourite Egyptian imam, Hassan, on satellite television. We often entered into discussions on Islam, where our conversations concerning the *niqab* and homosexuality were the most complex and dangerous. I felt that both sides—the secular and the Islamists—struggled with adopting new language, new discourses, and new approaches to engage with what they perceived as “other.” Unfortunately, during my return visit in 2013, I also felt the sociopolitical climate had profoundly changed. The atmosphere in the country bordered on sour and hostile. Arguably, the assassinations in 2013 sharply altered the post-revolution euphoria. Expectations for the future among some of the former interviewees could be characterised by pessimism, suspicion, and despair rather than excitement and optimism.

⁶¹ Bendana, *Chronique d’une Transition*, 118.

During the research for the thesis I also faced a number of ethical challenges, as I was constantly concerned for the protection of the individuals I was researching. Many of the people I interviewed either worked with illegal populations or were members of these populations themselves. Before and after my arrival there were instances of targeted violence against homosexual men in Tunisia. It was a personal and professional priority for me to protect the welfare of the individuals I interviewed for my research in my notes and transcripts, and a challenge within this thesis is to ensure they remain protected while delivering rigour in the analysis.⁶² Furthermore, given the fluctuating nature of sociopolitical transformations following the downfall of an authoritarian regime, data analysis had to remain an ongoing and reflexive activity throughout the course of the writing. Events in the region continue to evolve rapidly, and it was a constant challenge to stay abreast of these events in my own research. While I hope to be able to reflect the most current analysis possible, there will inevitably be gaps in this examination, as it could not continue indefinitely.

Finally, perhaps the greatest challenge to conducting the field research was the “Arab Spring” itself; however, I also believe this uncertain and continually unfolding context also yielded interesting findings during an extraordinary period for the region. The major and constant looming ambiguity over my research was this question of when the transition from authoritarian rule begins and ends. Transitions from authoritarian rule are distinctive for many reasons and are undoubtedly worth further academic scrutiny. Following the downfall of an authoritarian regime, state infrastructure is often seemingly paralyzed, in particular the security apparatus and judiciary systems held dear by the former regimes. With the destabilisation of these systems, perceptions of increased violence (real or imagined) and mounting rumour create the impression of a storm of chaos and confusion. This notion of chaos, often accompanied by fear and reactionary emotions, can be a challenge for any researcher. However, within this chaos, abnormality itself quickly becomes the norm where power frequently changes hands from hegemonic authorities to non-state actors, and between publics and emerging counter-publics. Fundamentally, the researcher is always

⁶² Dewalt, Dewalt, and Wayland, “Participant Observation,” 291.

fully aware that she is not only witnessing, but also participating in, something extraordinary.

4. Structure of the thesis

This thesis is divided into seven chapters including the Introduction and Conclusion chapters. There are two principal chapters that lay the foundations for the overall context of the thesis—Chapter II: *Situating civil society: emancipation or modernisation* and Chapter III: *The consolidation of the Tunisian state*. Chapter II is first a theoretical examination of the concept of civil society with an initial concentration on the theories of writers who underscored the conflicts and contentions among and between civil society actors and groups, such as Georg W.F. Hegel, Karl Marx, and Antonio Gramsci. Second, the chapter critically explores the moments during which the concept of civil society re-manifested both ideologically and in practice throughout the social movements and transitions from authoritarian rule in Eastern Europe and Latin America. More significantly, it traces the period from which the concept of civil society was ideologically re-appropriated and transplanted into neoliberal frameworks. The chapter subsequently outlines the dual role with which civil society is tasked in dominant international development policy, both as a provider of social welfare services and as a torchbearer for democratic values and holding states accountable. I argue that under neoliberalism from the 1980s, civil society groups and organisations acquired an unprecedented legitimacy and authority within development and poverty alleviation discourses. Furthermore, the hegemony of these actors in many contexts has allowed for multiple exclusions of contentious or peripheral groups and issues. Perhaps more importantly, one is able to more clearly observe the incompatibility of conceptual understandings of civil society (and the ideologies underpinning them) that originally *emphasised* the conflicts among and between civil society actors, to understandings that later come to *de-emphasise* and overlook these conflicts.

Chapter III: *The consolidation of the Tunisian state* begins with an analysis of the origins, structure, and leadership of the pre- and post-independence state, through the consideration of some of the factors that influenced the nature of the Tunisian state seen

today. To do this the chapter commences with a brief discussion of the origins and structure of the pre-independence Tunisian state, by looking specifically to the influences of Ottoman control from the sixteenth century and French colonial rule from 1881. It then examines the leadership of the post-independence state from 1956 to 1987 under Habib Bourguiba and from 1987 to 2010 under the regime of Zine El Abidine Ben Ali. These particular origins and initial structures of the Tunisian state provided the opportunity to not only consolidate the bureaucratic apparatus necessary to govern and maintain legitimacy, but also to bring peripheral regions and tribal populations under greater state social control by the middle of the twentieth century. The chapter describes how from 1956, Bourguiba was able to steer the post-independence Tunisian state through periods of sociopolitical and economic turmoil and to govern a highly efficient and highly centralised state apparatus. It also underscores how the Tunisian state soon entered into an “authoritarian spiral,” the residue of which would carry over into the leadership of the Ben Ali regime from 1987. The “authoritarian spiral” manifested as a result of a range of factors including managing political opposition and dissent, implementing austere socioeconomic policy, and introducing modernising secular reforms, each of which resulted in fresh measures to reinforce the legitimacy and authority of the regime. Despite earlier signs to the contrary, not long after Ben Ali assumed the presidency in 1987, tendencies for authoritarian rule re-materialised. Civil society organisations that chose to operate during this period accepted known risks of harassment and intimidation, in particular if their interventions were perceived to be political in nature. In addition to the targeting of secular organisations, the regime gradually closed down spaces for Islamist actors and groups to manoeuvre. Over time, this directly impacted the nature and structure of Tunisian society as with the vigorous targeting of the Islamists by the government, some secular organisations also began to distance themselves from Islamist organisations. The conditions set by the two regimes, and the residue of authoritarian rule that would carry over into post-uprising Tunisia, would leave its mark on Tunisia’s new and expanding symbolic and physical public spaces.

Chapter IV: *Civil society and the opening up of the public space* examines the first core theme of the thesis, specifically the “illiberal” effects of the opening of the public space(s). This chapter looks to the moments following the downfall of the Ben Ali regime in January 2011 when Tunisia’s public spaces opened as a result of almost immediate political

liberalisation measures implemented by the transition governments. The chapter describes the initial months following the Tunisia uprising, including the outcome of the elections to the National Constituent Assembly in October 2011 where the Islamist Ennahda party gained the majority through the formation of a coalition, known as the Troika, with two secular parties, Ettakol and the Congress for the Republic. It then illustrates the manifold expectations and contentions that emerged among the different actors in Tunisia's political as well as public spaces, through a narrative of the key events which transpired during the two years after the uprising. In particular, touchstone issues such as the freedom of the press; the status of women; support for and recognition of vulnerable (and criminalised) populations such as people affected by HIV/AIDS, sex workers, and homosexual communities; and a key symbol of national identity, the Tunisian flag, each became key areas of contestation as actors both inside and external to Tunisia's public spaces expressed their priorities and visions for post-uprising Tunisia. This chapter then analyses the "resurrection of civil society" in which thousands of civil society organisations were legally established as a consequence of the amendments to the laws of association initially promulgated by Bourguiba in 1959 and redrafted by the High Authority in the months following the uprising. The thousands of new organisations created during this time would also be acting alongside and sharing the same symbolic as well as physical public spaces with Tunisia's historic civil society organisations, created in the decades prior to the 2010–2011 uprising. Each set of organisations encountered opportunities and challenges as they endeavoured to ascertain the nature of Tunisia's expanding public spaces. Effectively, this chapter demonstrates that there is a tumultuous but definitive period following political liberalisation measures during which actors can take maximum advantages of these expanding spaces, and where the field for discursive contestation is at its widest. The consequence of these new and vast public spaces, and the multiplicity of different conflicts which emerged, resulted in an uncivil and illiberal jostling of views, visions, and ideologies.

Chapter V: *Rising social division and the emergence of social Islam* analyses the second core theme of the research, namely the emerging sociocultural and socioreligious divisions, including the rise of associational or social Islam following the downfall of the Ben Ali regime in 2011. It examines in more depth the emerging conflicts and divisions between the secular and Islamist actors and groups to further determine how conflict is manifested within and

among civil society. Following on from Chapter IV, this chapter continues to map the areas where this conflict materialises and analyses the consequences of these contestations for both these actors, as well as on democratisation in Tunisia following the 2010–2011 uprising. This chapter describes the disparate Islamist groups that emerged to participate in Tunisia’s public spaces, including those that were denied the opportunity to engage in legal civil society organisations under Ben Ali but subsequently chose to participate in the momentum of post-uprising Tunisia. The chapter then analyses the key areas of conflict and contestation between Islamist and secular organisations, as well as the reactions from organisations operating on the periphery with marginalised and vulnerable groups to new actors inhabiting these spaces. Finally, this chapter demonstrates that civil society became more contentious and conflictual following the initial expansion of Tunisia’s public spaces and during the two years following the downfall of the Ben Ali regime as a result of two core factors. First, civil society became more divided during this period based on the sociopolitical residue it inherited from the Bourguiba and Ben Ali regimes, during which civil society was both constructed in opposition to Islam and operated in a relatively constrained public space for several decades. Second, civil society became more contested between its different elements as a rush of new actors filled the public space—these actors were secular and Islamist, embodying often vastly different visions and ideologies for post-revolution Tunisia. As the stakes for shaping Tunisia’s national identity intensified, the conflicts between civil society not only reinforced social divisions but also legitimised exclusions in the name of democracy.

Chapter VI: *Consensus and marginalisation: the mapping of priorities in post-uprising Tunisia* examines the third and final theme of the thesis, specifically the exclusionary (and undemocratic) nature of consensus in “liberal” democracies. From the point at which the discursive arena is at its widest following the political liberalisation measures put in place by the transition government(s), to when gradually these spaces are narrowed down through “the hegemony of consensus,” this chapter frames the touchtone issue of homosexuality in post-uprising Tunisia. It follows the case study of the experiences of some of the members of the homosexual community in Tunisia who established the organisation *Damj* (“reintegration”) after the 2010–2011 uprising to more effectively defend human rights and the rights of minorities, including lesbian, gay, bisexual, and transgender (LGBT)

populations. Through this case study, I further examine how conflict is manifested among civil society groups and actors by looking to the areas of these conflicts, as well as the consequences for these actors. Members of these communities not only experienced simultaneous expansions in the public space to manoeuvre but also experienced constraints, such as increases in discrimination and violence. In the further mapping of democratic priorities, homosexual communities worked to put issues of human rights and freedom from violence on the national agenda; however, actors both internal and external to civil society acted to exclude marginal views in the name of consensus and democracy. Following a transition from authoritarian rule, consensus effectively becomes a key means to enforce hegemonies as the post-revolution hierarchy of priorities is redefined and “other” is pushed to the periphery or negated entirely. Consequently, consensus becomes the critical mechanism through which conflicts are muted and discursive arenas are squeezed. In the absence of these conflicts, there is little evidence that discursive contestation is taking place.

In the weeks before and after ousting of the Ben Ali regime, individuals and communities came together in the streets across Tunisia in apparent solidarity, calling for freedom and dignity. Even two years after the 2010–2011 uprising many spoke of nostalgia for the moments when the country rallied together in unison for a higher standard of democracy. Yet by 2013, Tunisia was characterised by an emerging secular-Islamist stalemate at the political level, as well as conflict, and at times even hostility, among members of civil society. Touchstone issues such as the status of women, the freedom of the press, and issues related to marginalised and stigmatised populations such as sex workers and homosexual communities, often sparked contention and occupied discursive space among civil society actors and groups. As a result, rather than a continued expansion of opportunities for agonistic debate, relationships between actors were often antagonistic, as the country was driven by the pursuit of consensus on national priorities and identity following the downfall of the Ben Ali regime. In effect, during this period there was a constant jostling of visions and ideologies for post-uprising Tunisia in the country’s expanding public spaces. Did this multiplicity of discourses at the time yield consensus or subjugation, tolerance or repression, harmony or conflict in Tunisia’s rapidly fluctuating

post-revolution environment? Ultimately, did it provide fertile terrain for dignity and freedom following decades of authoritarian rule?

Chapter II: Situating civil society: emancipation or modernisation

Cited as a solution to social, economic, and political dilemmas by politicians and thinkers from the left, right, and all perspectives in between, civil society is claimed by every part of the ideological spectrum as its own. But what exactly is it?

*Neera Chandhoke, "Civil Society"*⁶³

From December 2010, a number of countries across the Middle East and North Africa entered into periods of sociopolitical transition from authoritarian rule in the pursuit of an uncertain something else. Tunisia continues to map its own transition path(s) based largely on popular aspirations for change and a desire for a higher or greater standard of democracy,⁶⁴ but also on the residue of power it has inherited. During the two years following the Tunisia uprising, frequent mass demonstrations were mobilised to remind state power that the people as watchdog over creeping authoritarianism remained ubiquitous and ever vigilant. The power of the people, or the will of *Al Shaab*, fuelled new debates on the nature and role of civil society in transitions from authoritarian rule.

The events of the "Arab Spring" continue to spark a range of vibrant discussions and questions concerning the hegemony of the neoliberal architecture, and at the same time underscore the normative frame implicit in concepts such as civil society specifically in relation to democratisation. Inherent to these conceptual debates are the conflation and contention over the exact nature and functioning of civil society given the often unattainable expectations for these actors, and whether the manifold views and priorities among its members will eventually be able to deliver a greater standard of democracy or instead impede this process. At the core of these deliberations on civil society are questions regarding the role of conflict, the hegemony of consensus, the limitations of pluralism, and whether civil society can continue to represent an alternative to dominant development and donor discourses. For example, in *State and Civil Society* Neera Chandhoke contends,

⁶³ Chandhoke, "Civil Society," 608.

⁶⁴ In his lecture on "Secularism, human rights and the Middle East: challenges and reflections" at the London School of Economics (LSE) on 23 Oct. 2012, Gilbert Achcar articulated that what the demonstrations across the regions shared was aspirations for a higher or greater standard of democracy. See: www.lse.ac.uk/humanRights/events/2012/Secularism.aspx.

“Basically it (civil society) refers to an entire tradition of political thought which has dealt with issues of human emancipation.”⁶⁵ Ultimately, as others have done, I endeavour to discern whether or not the concept of civil society as it is currently understood has the potential to be politically transformative.⁶⁶

The voices of civil society, or *al-mujtama al-madani* and *al-mujtama al-ahli*,⁶⁷ are traditionally thought to have had little influence on the weighty authoritarian regimes of the Middle East and North Africa. Some would argue that given the origins of the concept, a genuine civil society could not exist in the region. As Augustus Norton observes, “There, civil society is said to be deficient, corrupt, aggressive, hostile, infiltrated, co-opted, insignificant or absent, depending on which observer one prefers to cite.”⁶⁸ The ongoing social movements in the Middle East and North Africa also continue to raise questions regarding the extent of civic activism and collective pursuits in public spaces, including the nature of civil society’s relationship to the state, its role in the transition to and consolidation of democratic processes, its ability to function independently within authoritarian regimes, and finally the question of whether or not civil society has inherited the social contract from “weaker” states in the region. The concept of civil society—specifically the more hegemonic liberal understanding—is habitually utilised by scholars, international institutions, state entities, and NGOs to such an extent that engaging with the concept remains essential. Therefore it becomes even more imperative to routinely and critically scrutinise the profound implications of the concept, as well as the different agents who gain and lose in its application. This thesis examines how conflict is manifested among civil society actors and groups, by looking to the areas in which these conflicts occur and the consequences of these conflicts. In order to do this, I first analyse how the writers who emphasise in particular the conflictual nature of the interactions between civil society actors and groups understood the concept. Second, I consider how civil society is understood in neoliberal frameworks, through an examination of neoliberal policies that in fact de-emphasise the conflicts and contentions between these organisations while simultaneously providing these actors with

⁶⁵ Chandhoke, *State and Civil Society*, 33.

⁶⁶ See Abdelrahman, *Civil Society Exposed*, 1 and Chandhoke, “Civil Society.”

⁶⁷ *al-mujtama al-madani* invokes the sense of institutions organised along civil lines with the word *madani* derived from *medina* or “city;” or the more traditional reference to *al-mujtama al-ahli* which refers to a wider variety of communal and religious institutions. See Sajoo, *Civil Society in the Muslim World*, 15.

⁶⁸ Norton, “The Future of Civil Society,” 212.

unprecedented authority and legitimacy in national and international arenas. By further understanding the points at which these conflicts are emphasised and de-emphasised across history, it becomes possible to understand more holistically the civil society that emerged in Tunisia prior to and following the downfall of the Ben Ali regime in 2011. Moreover, it allows for a further determination as to whether the concept of civil society can continue to be considered transformative.

This chapter commences by exploring the concept of civil society through an analysis of how it was conceived by writers such as Georg W.F. Hegel, Karl Marx, and Antonio Gramsci. It then describes the resurrection of the concept during the “third wave of democratisation” in which the collective activism and social movements of the 1970s and 1980s in Latin America and Eastern Europe were largely associated with the transition to or consolidation of democratic outcomes from authoritarian regimes. This chapter subsequently sets out how the concept has undergone a transformation within neoliberal frameworks and outlines the dual role with which civil society is tasked in dominant international development policy, both as a provider of social welfare services and as a torchbearer for democratic values and in holding states accountable. This chapter concludes with some of the emerging contentions and challenges with how the concept of civil society is currently understood and reflects on the principal research question of the thesis, in particular in discerning how or why conflict manifests among civil society actors and groups. I argue that the incompatibility between the ideologies underpinning how civil society was understood in the social movements in Eastern Europe and Latin America, and then later re-appropriated in neoliberal frameworks, is a critical source of tension at the heart of the concept today. The two simultaneously operating but incompatible concepts of civil society, influenced by the ideology of Communism on the one hand and the ideology of neoliberalism on the other, radically depart in terms of how they understand, and more importantly, create space for conflict in the building of pluralist democracies.

Carving out public spaces

To begin and to maintain conceptual clarity in terms of how the concept of civil society is used across the thesis, it is necessary to establish here that civil society is a field of actors, groups, and organisations acting and manoeuvring within a physical and symbolic public

space as opposed to the “pubic sphere.” The public space(s) serves to harness a range of discursive arenas in which different actors can deliberate and contest critical matters of concern. It is important to note, however, that while some writers such as Chandhoke in *State and Society: Explorations in Political Theory* use the concept of the public sphere and civil society interchangeably, doing so can create slippages between the two concepts.⁶⁹ Moreover, Jurgen Habermas, a key writer on the public sphere, attributes both a horizontal as well as vertical relationship between civil society and the public sphere.⁷⁰ For example, Habermas describes an idealised public sphere in which equal individuals participate alongside each other to occupy a central position within the public through rational-critical debate—eventually through the “coffee houses, salons, and table societies.”⁷¹ He writes, “Transcending the barriers of social hierarchy, the bourgeois met here with the socially prestigious but politically uninfluential nobles as ‘common’ human beings.... Social equality was possible at first only as an equality outside the state.”⁷² He articulates a public that was in principle inclusive and whereby everyone, through their own consciousness of being part of a larger public, had to be able to participate.⁷³ However, Habermas is criticised by writers such as Nancy Fraser for not fully emphasising unequal status relations, the lack of participatory parity, and the normative preference for a singularity of publics.⁷⁴ She attributes this to Habermas’ emphasis on the nature of the public sphere as an idealised entity based on the principles of inclusion and accessibility. Her premise rests on her understanding of Habermas’ unexplored consideration of the “social question” in which society was increasingly marked by class struggle and eventually splintered off into a host of “competing interest groups.”⁷⁵ Fraser acknowledges that for Habermas the full potential of the bourgeois conception of the public sphere never developed in practice⁷⁶ because Habermas himself admits that the one public sphere was always a *fiction*, presented as an institutionalised *idea* rather than true state of interaction.⁷⁷

⁶⁹ Chandhoke, *State and Civil Society*, 9.

⁷⁰ In the *Structural Transformation of the Public Sphere*, Habermas suggests that the public sphere sits *within* civil society (p. 34) and simultaneously he articulates that the public sphere *regulates* civil society—suggesting a vertical relationship (p. 52).

⁷¹ Habermas, *The Structural Transformation of the Public Sphere*, 30.

⁷² *Ibid.*, 34–35.

⁷³ *Ibid.*, 37.

⁷⁴ See: Fraser, “Rethinking the Public Sphere.”

⁷⁵ Fraser, “Rethinking the Public Sphere,” 59.

⁷⁶ *Ibid.*, 59.

⁷⁷ Habermas, *The Structural Transformation of the Public Sphere*, 36 and 56.

Given both Habermas' own inconsistencies in his distinction between the public sphere and civil society, and the idealised nature in which the concept of the public sphere was theorised, other writers have attempted to clarify this conceptual confusion. For example, Seteney Shami articulates the notion of the "integrative promise" where the concept of the public sphere can provide disparate perspectives on civil society, private and public domains, urban social movements, and sexual identity. Shami writes, "The concept of public spheres thus promises to elucidate the diversity of civil society, of resistance practices and democratisation."⁷⁸ In principle for Shami, the public sphere could serve as an analytical frame to enable and observe new perspectives on how the term civil society is understood.⁷⁹ While it is tempting to situate the concept of civil society within or alongside the public sphere given the richness and often complementarity of the two concepts, the slippages between the two are problematic. Therefore, I do not use the concept of the public sphere in the thesis, but rather describe the symbolic and physical public spaces both afforded to civil society actors by the different governance mechanisms, such as through the institutions of the state and from within the neoliberal architecture, as well as the spaces these actors carve out for themselves when room to manoeuvre is detected. In this sense and alongside writers such as Chantal Mouffe, rather than to refer to a single space, "a multiplicity of discursive surfaces and public spaces" are emphasised across the thesis.⁸⁰

1. Locating civil society following the emergence of capitalism

Throughout the last century the concept of civil society has taken on many different forms and has often been related to or polarised against institutions such as the state, the economic market, the private sphere, or the family-household domain. The concept has also been intrinsically linked to a modernisation trajectory in which the density of civil society is associated with progress, and a lack of civil society with those of traditionalist or primordial institutions. Some scholars, such as Alan Kidd, argue the collapse of the Communist states was responsible for stimulating an increased interest in the concept of civil society during

⁷⁸ Shami, *Publics, Politics and Participation*, 36.

⁷⁹ Ibid., 15-16.

⁸⁰ Mouffe, *Agonistics*, 91.

the 1990s, notably the emphasis upon its importance to democracy;⁸¹ others, meanwhile, would point to the emergence of the good governance discourse supported by proponents of the neoliberal architecture from the mid-1980s as responsible for its popularity. The concept remains highly contested territory⁸² and retains a high degree of complexity.⁸³ Jean Roca contends that the identities of civil society actors are “increasingly multiple and mobile, and allegiances are fluid. It would therefore be wise...to speak of ‘civil societies.’”⁸⁴

For example, John Keane, relying on its more classical usage, argues, “Civil society is an ideal-typical category...that both describes and envisages a complex and dynamic ensemble of legally-protected non-governmental institutions that tend to be non-violent, self-organising, self-reflexive and permanently in tension with each other and with the state institutions that frame, construct and enable their activities.”⁸⁵ Aryn Sajoo, adopting a more hybrid understanding, contends civil society comprises “not only the more formal webs of associations of civil society, but also its more fluid communicative actions—outside the direct mediation of the political (that is, formal state) sphere.”⁸⁶ While in *Global Civil Society 2012*, in consideration of the recent social movements in the Middle East and North Africa, Anheier, Kaldor and Glasius describe civil society as “the medium through which individuals participate in public affairs, through which they endorse or challenge the dominant discourse.”⁸⁷ There is a contentious and ongoing debate about which groups civil society does and does not include (often based on the origins of the concept) and the notion, that certain institutions can gain from how the parameters of this concept are defined. Mary Kaldor argues that in fact, the literature on civil society is so diverse it permits varying degrees of “selectivity” in terms of which texts and meanings to study.⁸⁸ By endeavouring to interpret the various meanings of the concept across disparate contexts it is possible to construct a space for a broader discussion of the implications for this concept following the events of 2010–2011.

⁸¹ Kidd, “Civil Society or the State,” 334.

⁸² Edwards, *Civil Society*, vii.

⁸³ Giner, “Civil Society and Its Future,” 302.

⁸⁴ Roca, “Insiders and Outsiders,” 43.

⁸⁵ Edwards, *Civil Society*, 20, citing Keane (1998: 6).

⁸⁶ Sajoo, *Civil Society in the Muslim World*, 5.

⁸⁷ Anheier, Kaldor, and Glasius, “The Global Civil Society Yearbook,” 15.

⁸⁸ Kaldor, *Global Civil Society: An Answer to War*, 3.

Situating conflict: a critical exploration of Hegel, Marx, and Gramsci

This section begins with an examination of the theories of Hegel, Marx, and Gramsci on civil society as these theorists were not only concerned with how civil society could be organised and transformed, but also underscored the conflictual and contentious nature of this domain. Here we see the emergence of theoretical understandings on civil society that aim to further determine the relationship between the state and civil society both spatially and conceptually. While their overall understandings of the concept of civil society do not necessarily reflect how the concept is currently understood and applied—in particular within neoliberal frameworks—they are each extremely compelling in terms of demonstrating how civil society is often characterised by conflict. And although there exist a multitude of disparate theories on the concept of civil society, each of these writers' particular understandings of the concept remain relevant today when locating the inter-relationship between the state and civil society and the role that conflict plays in these relationships.

For Hegel, Marx, and Gramsci, civil society was linked with the emergence of capitalism and together they demonstrate how civil society has routinely oppressed its different inhabitants. They were each concerned with the composition of civil society and its organisation, leadership, and direction. Georg W.F. Hegel was one of the first to clearly distinguish the state from civil society and hence the political from the civil.⁸⁹ Hegel, according to Keane, believed, "Civil society cannot remain 'civil' unless it is ordered politically, subjected to the 'higher surveillance of the state.'" ⁹⁰ Furthermore, Hegel conceived of the state as a positive entity that safeguarded the conflicting elements of civil society because "the state represents society in its unity..."⁹¹ With Hegel's deep trust in state regulation, he understood civil society as a sphere of contradictions that could be resolved from above through the higher institutions of the state. Boaventura de Sousa Santos writes of Hegel, "In his most Hegelian moment, civil society—rather than being the opposite of the state—is a transitional stage in the development of the idea, the final stage being the state. The family is the thesis, civil society is the antithesis, and the state is the

⁸⁹ Chandhoke, *State and Civil Society*, 116.

⁹⁰ Keane, *Civil Society and the State*, 52 citing Hegel, *Philosophy of Right*, 397.

⁹¹ *Ibid.*, 53.

synthesis.”⁹² As such, Hegel conceived a distinct but also hierarchical relationship between the state and civil society. He described the modern individual as “rootless” with limited protection against the state; civil society could therefore provide this grounding despite being an entity that was unable to organise itself or sustain an alternative public discourse from the state.⁹³ Hegel’s understanding of civil society was effectively truncated as he described a restricted public space in which the emphasis was on the propertied classes and where marginalised groups and working classes were excluded from critical rational discourse(s).⁹⁴

In response to the exclusion of the working classes from Hegel’s understanding of the relationship between civil society and the state, Marx’s emerging conception of this domain shifted the emphasis back to the power of the working classes. Marx also envisaged the space in which civil society operated and manoeuvred as conflictual, yet within this space civil society could overcome its own internal struggles and contentions. And although Marx aligned with Hegel on the notion that the state should in principle regulate civil society, he did not actually believe the state had the power to effectively do this. Furthermore, Marx perceived the negative role of the state that effectively encouraged political and social divisions, whereas for Hegel the state was a positive regulating entity. With the Marxian notion that the social in effect encompassed the political, the state would eventually mirror the class configuration and divisions within society. These social divisions and struggles would also serve to eventually overthrow the state as Marx depicted a state that was subordinate to civil society. Chandhoke writes, “The power of the organised working class within civil society creates the possibilities that the class will be able to liberate both itself and the civil sphere.”⁹⁵

Both Hegel and Marx developed their conceptualisations on civil society and the state during a similar historical period following the emergence of capitalism.⁹⁶ Gramsci’s understanding of civil society however emerged several decades later during which the

⁹² Santos, *Toward a New Legal Common Sense*, 365.

⁹³ Chandhoke, *State and Civil Society*, 119.

⁹⁴ *Ibid.*, 142.

⁹⁵ *Ibid.*, 145.

⁹⁶ Chandhoke, *State and Civil Society*, 147.

impacts of the consolidation of capitalism were being revealed, and in which working class movements were failing. For Gramsci, civil society became the site where the state could reinforce its legitimacy through the educational, cultural, and religious institutions.⁹⁷ Civil society could also become a space through which marginalised or subaltern groups/classes could challenge and eventually subvert the power of the state.⁹⁸ For Gramsci, this could be achieved through a more subversive process of “normative consent” or what Gramsci eventually refers to as hegemony in which consensus upon the fundamental principles of a sociopolitical discourse could materialise into a form of social control.⁹⁹ More importantly, Gramsci’s conception of civil society depicted civil society as a buffer to the state, as a sphere of actors that could effectively safeguard the state. Chandhoke writes, “The life of the state is a ‘continuous process of formation and superseding of unstable equilibria’ in civil society.”¹⁰⁰

Gramsci articulated volatile and reversible hegemonies between civil society and the state, with the superstructures of civil society being imagined through the “trench systems of modern warfare.” With each “fierce artillery attack” the outer perimeter would be destroyed, but new layers would reveal “a line of defence which was still effective.”¹⁰¹ For Gramsci hegemony was never stable, and was in fact always a contested and dynamic process activated through both practices of coercion and consent. Maha Abdelrahman states, “In no other theory does the concept of civil society assume a more active and dynamic dimension than in Gramsci’s analysis.”¹⁰² Gramsci’s analysis also attempts to situate power among state and non-state actors, or between the state and the political/integral society. Ultimately for Gramsci, hegemony was not simply wielded by state institutions, but across and through civil society. Gramsci’s conception of civil society perhaps has its most profound implication in the notion that rather than being a set of institutions, the state is effectively a complex web of social relations with, according to Chandhoke, the “continuous and constant reference point for the state” being civil

⁹⁷ Chandhoke, *State and Civil Society*, 149.

⁹⁸ Abdelrahman, *Civil Society Exposed*, 22.

⁹⁹ Ibid., 23.

¹⁰⁰ Chandhoke, *State and Civil Society*, 151.

¹⁰¹ Gramsci, *Selections from the Prison Notebooks*, 235.

¹⁰² Abdelrahman, *Civil Society Exposed*, 22.

society.¹⁰³ Adam Morton in fact considers Gramsci to be one of the paramount theorists of capillary power given his emphasis on hegemony within forms of social relations. He argues, “Hegemony within the realm of civil society is then grasped when the citizenry come to believe that authority over their lives emanates from the self. Hegemony is therefore articulated through capillary power...when it is transmitted organically through various ‘social infusoria.’”¹⁰⁴

Hegel, Marx, and Gramsci each underscored the conflictual nature of civil society; nevertheless, how they conceptualise these actors and the symbolic spaces in which they operated was different in terms of the agency and capacity for self-organisation they understand civil society could possess. Hegel depicts a civil society that is organised and regulated by the state with little or no capacity for agency, or the ability to fully sustain an alternative public discourse. For Marx, however, the departure is first in the manner in which he shifts the focus of the discourse and restores agency onto the marginalised and working classes, who for Hegel represent a sphere of instability. And second, the working class or proletariat in this sense act inside and as a part of civil society to self-organise to eventually participate in political action to disrupt capitalist systems of production. For Marx, civil society is able to resolve its own disharmonies through taking responsibility for its own agency.

Finally, with Gramsci, it is possible to observe how he incorporates the dynamic influences of both thinkers on civil society and the state into his own understanding of civil society at a later stage in capitalist development. Gramsci and Marx both acknowledge the relationships of domination and hegemony within civil society, in particular how civil society could be the terrain not only for the reproduction of these relationships, but also the terrain in which this domination could be subverted. And while Marx places the emphasis on the working classes and class divisions, Gramsci broadens the scope of these actors to include educational, cultural, and religious systems and institutions where not only class but also ideological battles are constructed and deconstructed. For both writers, civil society is a field of actors that can legitimise and delegitimise the power of the state, where power is unstable and

¹⁰³ Chandhoke, *State and Civil Society*, 153.

¹⁰⁴ Morton, *Unravelling Gramsci*, 92–93.

hegemonies are reversible. Gramsci and Marx both depart from Hegel in that they denote agency to marginalised and subaltern groups, and underscore the capacity for these actors to self-organise to the extent of being able to overthrow the state through revolution. However, for Hegel civil society would be eventually transcended by the state whereas Gramsci articulated the reverse, as the state would be superseded by civil society. Furthermore, for Hegel, the formation and consolidation of the state with the “universality” of the state being realised through the “particularity” of civil society represents a final moment. For Gramsci, though, hegemony has to be constantly rearticulated—with the formation of the state and civil society as a continuous and relational process. Chandhoke writes, “Thus hegemony is not something that can be established once and for all and then left to fend for itself. It has to be constantly reformulated and expressed. It is a process that brings the state into a continual relationship with society and enables it to vitalize itself.”¹⁰⁵

A re-articulation of civil society in Eastern Europe and Latin America

The concept of civil society as articulated by Marx and Gramsci experienced a revival during various sociopolitical movements of the twentieth century, in particular during the social movements and protests of the 1960s, 1970s, and 1980s. During this period the world witnessed movements that effectively drew support from across class boundaries such as the civil rights campaigns, feminist movements, student and youth movements, and peace and anti-war protests. In particular, the theories of Marx and Gramsci played a central role in the resistance to authoritarian, autocratic and military regimes in Eastern Europe and Latin America in the 1970s and 1980s. Here the concept of civil society became a vital tool for intellectuals in reframing the various resistance movements in these different regions. The emphasis during these movements shifted to more grassroots and informal forms of organisation with both political and non-political objectives stretching beyond the state as a primary focus. Perhaps more importantly was the manner in which the concept was reborn and rearticulated during this period as both an antonym to authoritarian rule but also eventually as a critical tool in the neoliberal arsenal to promote democratic movements and to curtail the role of the state in low- and middle-income countries. The manner in which the concept was utilised during the different resistance movements across these two regions sets the stage for how the concept of civil society is understood and applied, and

¹⁰⁵ Chandhoke, *State and Civil Society*, 153.

perhaps has even been co-opted, today by disparate state and non-state actors in particular during periods of transition from authoritarian rule.

During the 1970s and 1980s in Eastern Europe, the failure of Communist reform was becoming more evident in one-party systems such as those in place in Poland, Yugoslavia, Czechoslovakia, and Hungary. The heavy weight of the state bureaucratic apparatus increasingly used methods of surveillance and co-optation to manage citizen opposition. The ubiquitous repression found in the totalitarian regimes in the region manifested in either more overt, brutal, and violent forms of oppression against public opposition or through concessions to sanctioned forms of political action to avoid open forms of political confrontation and antagonism.¹⁰⁶ Referring specifically to the Soviet-type regimes of the region, Keane writes, "Their former brutality and monstrous delirium have given way to modes of control which are less brutal and more anonymous, selective and calculated."¹⁰⁷ Hence during the 1980s, cognizant that neither reforming state power from above nor revolution from below was an effective strategy for emancipation from totalitarian regimes, intellectuals in Eastern Europe sought out alternatives to create civil and political channels for expression.¹⁰⁸ Civil and political actors perceived the necessity for a "free zone" that would enable them to establish spaces for protection from the state, as well as for solidarity and collective action.¹⁰⁹ Chandhoke writes, "The Eastern Europeans called this free zone, peopled by social associations, self-help and self-management organisations, and characterised by mutual solidarity, 'civil society.'"¹¹⁰ However, what would begin as a space to foster agency as a counterpoint to oppressive states effectively transformed into social and political movements across the region in direct opposition to dictatorial state power. And although Gramsci may have not been directly credited in the sociopolitical movements in Eastern Europe, this notion of the reversal of hegemonies to overthrow state power was indeed relevant. Chandhoke contends, "Gramsci's dictum that states that do not possess civil societies are more vulnerable than those that do possess them was to prove more than

¹⁰⁶ Keane, *Civil Society and the State*, 3.

¹⁰⁷ Ibid.

¹⁰⁸ Chandhoke, "Civil Society," 609.

¹⁰⁹ Ibid., 610.

¹¹⁰ Ibid.

prescient in this case.”¹¹¹ The manner in which intellectuals appropriated the concept of civil society served to not only severely disrupt, but to also bring down, a number of powerful states in the region. On the one hand it served as a tool to create a space for marginalised and disempowered groups to forge solidarities and remedy the asphyxiation caused by years of state oppression. On the other, the formation of these alliances ultimately led to wider movements for emancipation through greater participation in discourses shaping the conditions of political and civil rights, and in some cases even leading to political revolution. In the case of Latin America during a similar time period, it is also possible to observe the appropriation of the concept of civil society by intellectuals in the face of repressive regimes.

For the new Latin American left, the perceived importance of the self-organisation of the grassroots began to take hold during the 1980s. The concept of civil society became a critical concept in leftist thinking with civil society assuming an essential place in new radical democratic theory.¹¹² During the 1960s and 1970s, Marxist theory—in which the concept of civil society played only a marginal role—was dominant in Latin America. Faced with the incompatibility between formal political equality and the inequalities of global capitalism, Gideon Baker argues the Latin American left soon began to question the merits of democratic governments.¹¹³ During this time, the concept of civil society that had initially been equated with resistance to authoritarian regimes in Latin America evolved into a distinct self-management agenda, or rather the notion of “defence of freedom outside the state.”¹¹⁴ As a result of repressive military rule across several countries in the region, members of opposition movements questioned whether or not the state was the most effective target for resistance.¹¹⁵ Eventually this brought about a more positive and Gramscian understanding of the concept of civil society in which there was a conceptual and spatial relocation for opposition within the context of oppressive environments.

¹¹¹ Chandhoke, “Civil Society,” 611.

¹¹² Baker, *Civil Society and Democratic Theory*, 53.

¹¹³ *Ibid.*, 53–54.

¹¹⁴ *Ibid.*, 57.

¹¹⁵ *Ibid.*, 56.

Gramsci's influence on the necessity to create spaces for civil society to manoeuvre within the context of pervasive state repression became increasingly relevant. Francisco Weffort, an influential Brazilian social scientist and former Marxist, writes, "The discovery that there was something more to politics than the state began with the simplest facts of the life of the persecuted. In the most difficult moments, they had to make use of what they found around them."¹¹⁶ This resulted in a rethink of the ethos and tactics employed by these different actors, with a focus on the self-organisation of the grassroots and deprived communities as well as upon voluntarism, self-determination, self-management, and community mobilisation over the notion of the seizure of power. More importantly, political transitions in Southern Europe during the mid-1970s pointed to the notion of a "bloodless revolution" to effectively overthrow military dictatorships.¹¹⁷ During this period, Gramsci's understanding of civil society opened the door for transformatory political action emphasising the ability to manoeuvre outside and separate from the state.¹¹⁸ It is also important to point out the structural consequences of uneven development taking place globally during this time, and the impact of peripheral capitalism on the popular classes. Baker contends that these structural features contributed to creating the (need for) spaces and the will towards more urgent and innovative forms for collective action.¹¹⁹ In effect, from the 1970s a response by the popular classes to underdevelopment also emerged, thereby underscoring the exclusion of these actors from the political and economic spheres. This effectively resulted in the creation of a multitude of different organisations cutting across the poor and marginalised in Latin America; the focus of these actors was on autonomy and self-constitution with manifold interests, extending beyond the notion of class reductionism.¹²⁰ Weffort, writing during this period, states, "We want a civil society, we need to defend ourselves from the monstrous state in front of us....In a word, we need to build civil society because we want freedom." From this period, according to Weffort, the concept of civil society became the "new politics of the region" with an almost complete paradigm shift in which "civil society" and "democracy" replaced "revolution" as the new discourse for Latin America. And eventually by the mid-1980s the region experienced

¹¹⁶ Weffort, "Why Democracy?" in A. Stephan. *Democratising Brazil* (Oxford: 1989), 347–348 as cited in Baker, *Civil Society and Democratic Theory*, 57.

¹¹⁷ Baker, *Civil Society and Democratic Theory*, 56.

¹¹⁸ *Ibid.*, 58.

¹¹⁹ *Ibid.*, 74.

¹²⁰ *Ibid.*, 64–65.

transitions from military or authoritarian rule to democratic governments in Argentina, Bolivia, Brazil, Chile Peru, and Uruguay.

The concept of civil society as understood by Gramsci in particular was co-opted and transformed during the 1970s and 1980s social movements in Eastern Europe and Latin America. The concept was reborn as a remedy to the growing penetrations of the bureaucratic state, and in the case of the two regions, totalitarian and military regimes. In both regions the notion of civil society was primarily resurrected to restore agency and a sense of self-management onto marginalised populations, with an emphasis on the defence of freedom outside the state and “free zones.” However, in both regions the social transformed into the political as citizens advocated for more representative and accountable forms of government, effectively calling for liberal democracy. Civil society emerged during this period as the “antonym of authoritarianism.”¹²¹ At the end of the 1980s, however, development scholars note the emergence of what is considered the “boom” of NGOs across low- and middle-income countries whereby the density of civil society organisations was invariably and often directly linked with “liberal” democratic governments and societies. The concept, in part through its ideological association with the end of socialist societies, emerged as a critical instrument in the neoliberal arsenal for the promotion of democracy and for the minimalist state.¹²²

2. Bringing civil society back in: neoliberal policy and “liberal” democracy

The transition(s) from totalitarian and authoritarian regimes in Eastern Europe and Latin America carried with them the often un-scrutinised ideological emphasis on the concept and capacity of civil society for emancipation and liberation. Scholars tracing the history and emergence of civil society organisations, for example, note the period of the 1970s to 1980s as the stage of “institutionalisation” of NGOs where a multitude of associations emerged in response to various and simultaneous global trends.¹²³ These trends included the oil crisis of the 1970s, the centrality of debt and macro-instability in middle- and lower-income

¹²¹ Chandhoke, “Civil Society,” 608.

¹²² Ibid., 611.

¹²³ Charnovitz, “Two Centuries of Participation.”

countries, the increased severity and duration of conflict, the emergence of international development discourses, the focus on poverty initiatives, and the rise of social movements across different regions.¹²⁴ Alongside these trends neoliberalism began to materialise as the dominant political ideology with the notion of the “minimalist” or limited state.

In order to give weight to this critique it is essential that the fundamental policies and tenets of the neoliberal framework are examined; from here one is able to further discern where the concept of civil society and civil society organisations fit within this framework. Moreover, it is in understanding these fundamental policies that it is also possible to observe the evolving relationship of the state in relation to this concept. Although the role of civil society organisations became more paramount in the Washington Consensus, it is equally important to note the critical elements of neoliberalism including in earlier structural adjustment programmes. Neoliberalism can be defined as a political project of economic, state, and social transformation with structural adjustment programmes embodying a set of specific economic policies and conditionalities designed and often imposed on countries by the World Bank and International Monetary Fund (IMF). The “New Policy Agenda”(1990s), for example, combines neoliberal policy prescriptions with a new focus on civil society organisations as the preferred channel for social welfare initiatives in addition to an emerging correlation between a healthy economy and democratic good governance. Michael Edwards and David Hulme consider this foremost role for these organisations as a fundamental and noteworthy change.¹²⁵ In order to understand the particular aspects of social transformation in neoliberal policies, it is first important to understand the economic and state aspects of these transformations envisioned by neoliberal policy.

A project of economic, state and social transformation

During the 1980s, emerging neoliberal policy, outlined in what came to be known as the Washington Consensus, underscored the notion that market failures and imperfections were widespread in lower-income countries. The growing perception within these

¹²⁴ See: Bebbington, Hickey and Mitlin, *Can NGOs Make a Difference*; Gordonker and Weiss, *NGOs, The UN and Global Governance*; Barnett and Weiss, *Humanitarianism in Question*; and Manji and O’Coill, “The Missionary Position.”

¹²⁵ Edwards and Hulme, “Too Close for Comfort,” 961.

institutions was that state intervention was the principal problem rather than the solution. In *Profit and Pleasure*, Rosemary Hennessey writes that neoliberalism therefore “seeks to free up the operation of the capitalist market from public (state) controls and regulations; at the same time it tries to extend the rationality of the market...to areas of social life that have not been primarily economic.”¹²⁶ Therefore, neoliberal policy dictates that state expenditure would be better directed towards creating an enabling environment for growth such as through tax concessions on profits, the liberalisation of price controls, and the dismantling of state-owned enterprises. This entails a de-emphasis on public healthcare provision, education, and social welfare programmes/measures. As fallout from the oil crisis in the 1970s, debt effectively created the leverage to allow the World Bank and IMF to impose structural adjustment packages modelling this philosophy. This included policies of market deregulation and privatisation, market stabilisation, market liberalisation (open markets, the lowering of trade barriers and deregulation), the removal of state subsidies, and trade liberalisation alongside theories that stipulated a “trickle down” effect of wealth.¹²⁷ Neoliberalism effectively advocated a discourse that established that all needs are to be met through the market and not through the state, from which emerged the notion of the “minimalist” state and a “rolling back” of the state.

The depiction of the state as part of the problem rather than the solution had the knock-on effect of substantially reconfiguring the social contract between states and their citizens. Structural adjustment programmes articulated state withdrawal from the provision of public services alongside the reduction in size of state apparatuses and institutions. The austere nature and conditions of these policies, as well as the manner in which they were imposed by international financial institutions, provoked significant socioeconomic disruption. The consequences of these reforms in middle- and lower-income countries during the 1980s and early 1990s were severe. The impact of IMF and World Bank economic reform programmes led to significant levels of unemployment, poverty, and social marginalisation in many countries with increases in income disparity leading to significant changes in labour markets. It is estimated that by the late 1990s one billion workers in lower-income countries

¹²⁶ Hennessey, *Profit and Pleasure*, 75.

¹²⁷ See Stiglitz, “The Post-Washington Consensus Consensus,” 7.

were either unemployed or underemployed.¹²⁸ The earlier emphasis in regions such as Eastern Europe and Latin America on protecting civil society from the intrusions of the state or even the notion of preserving radical democratic practice was eventually replaced by the notion of the deep erosion of the social contract between the state and its citizens. In this context, millions of middle-class and public sector workers were “pushed into the ranks of the urban poor in labour and housing markets” and consequently forced to provide for their own welfare.¹²⁹ Assef Bayat contends, “One major consequence of the new global restructuring in the developing countries has been a double process of, on the one hand, integration and, on the other, social exclusion and informalisation.”¹³⁰ In addition, sizeable reductions in free access to public services such as health and education through the introduction of user fees opened the door to a new wave of marginalisation and vulnerability across class divides. Writers such as Hennessey consider the growing gap between the rich and poor to be “neoliberalism’s most glaring legacy.”¹³¹

Popular dissatisfaction with structural adjustment programmes and policies led to a multitude of political demonstrations, strikes, and riots. Between 1976 and 1992 there were 146 documented protests against austerity measures in 39 countries, mostly in urban areas.¹³² In 1983, there were riots in Morocco in response to the government reducing consumer subsidies by 20 percent; in 1984, Tunisian riots against austerity measures led to 84 deaths; in 1988, strikes in Algeria took place in response to the cost of living; and in 1998, there were approximately 70 strikes in Egypt against new labour laws governing larger companies, which stripped workers of job security.¹³³ In many cases national governments responded to the demonstrations with repressive measures and often violence, with civil society and political opposition parties becoming the target of oppressive tactics to quell insecurity. Eventually this led to two major consequences for both states and the international financial institutions. First, neoliberal policy framed within the Washington Consensus required an urgent rethink as a result of the severe socioeconomic impact of these policies and continuing social unrest. Second, states were beginning to lose grip on

¹²⁸ Bayat, *Life as Politics*, 34.

¹²⁹ Ibid.

¹³⁰ Ibid., 33–34.

¹³¹ Hennessey, *Profit and Pleasure*, 75.

¹³² Manji and O’Coill, “The Missionary Position,” 578.

¹³³ Bayat, *Life as Politics*, 69–70.

their own legitimacy as a result of the implementation of harsh fiscal measures affecting middle and lower classes; faced with the risk of waning popularity, some governments delayed the implementation of unpopular policies or inevitably cherry-picked the structural adjustment policies they would implement. And while many governments would tighten their grip on collective association, community mobilisation, and social movements in response to the erosion of state legitimacy, they would also transfer a significant proportion of the social welfare provision role onto civil society organisations. Maha Abdelrahman notes that central to the neoliberal paradigm is that the “Rolling back of the state from areas of social services is expected to be balanced by NGOs filling the gaps created by the state’s retreat.”¹³⁴ She argues further that neoliberal preferences for civil society promotion were based less on a given ideology and more on the notion that civil society organisations could serve as “band-aids” to cover the wounds of austere structural adjustment programmes.¹³⁵ This parallels with James Ferguson and Akhil Gupta’s perception of civil society organisations that have helped Western development agencies to circumvent uncooperative national governments, highlighting both a “disdain for the state” while simultaneously underscoring a “celebration of civil society.”¹³⁶

In the 1990s, Western governments and the World Bank began to criticise the merits of the market fundamentalism of the Washington Consensus, acknowledging that the strong market-based approach had not only profound negative socioeconomic and political consequences but also that it was not resulting in strong economic growth. The reduction in the role of the state in these policies was questioned for example in the “Post-Washington Consensus Consensus.” Joseph Stiglitz writes, “The consensus (Washington Consensus) policies often assumed the worst about the nature and capability of governments and made that one size fit all.”¹³⁷ A “Post-Washington Consensus” emerged whereby the role of the state was effectively brought back in, alongside an emphasis on good governance and poverty-reduction strategies. Stiglitz states, “The post Washington consensus recognizes that there is a role for a market; the question is to what extent do the neo-liberals recognize that there is a role for the state, beyond the minimal role of enforcing contracts and

¹³⁴ Abdelrahman, *Civil Society Exposed*, 25.

¹³⁵ Ibid., 25 and 58.

¹³⁶ Ferguson and Gupta, “Spatializing States,” 120.

¹³⁷ Stiglitz, “The Post-Washington Consensus Consensus,” 3.

property rights.”¹³⁸ Civil society organisations subsequently were framed as partners of the state rather than alternatives to the state.

Effective providers of services or agents of democratisation?

From this period, civil society re-materialised to fill two primary roles. The first would be as cost-effective providers of social welfare services and poverty reduction in middle- and low-income countries, effectively assisting the declining public sector. The second would be as torchbearers for democratic values and good governance, thus becoming key agents in the transition to and consolidation of democracy as well as for enhanced social justice.¹³⁹ Civil society understood as a “cost-effective provider of services” has arguably resulted in a series of outcomes. For example, civil society organisations were becoming increasingly associated with service provision within time-limited projects and financial sustainability. Growing concerns for risk aversion and burdensome transaction costs in low-income settings also led to a concentration of international donor aid to the larger civil society organisations.¹⁴⁰ Furthermore, donor decisions focused increasingly on technical criteria such as “efficiency, value-added, cost effectiveness, and output-performance orientations.”¹⁴¹ This has led some to point out the increasing homogenisation of the civil society sector. Chandhoke argues that the concept of civil society that was once characterised by its “subversive edge” has now been essentially “flattened out.”¹⁴²

Furthermore, the overall preference for good governance discourses among neoliberals and international donors eventually took hold. Naila Kabeer explains, “The good governance agenda which became popular within the donor community around this time highlighted the role of civil society in holding governments to account, suggesting a ‘virtuous circle’ could be built between state, economy and civil society that would balance growth, equity and social stability.”¹⁴³ Notions of good governance coincided with increased donor pressure to meet international development goals in conjunction with the ineffective use by governments (in both low- and middle-income countries) of donor resources in primarily

¹³⁸ Stiglitz, “The Post-Washington Consensus Consensus,” 3.

¹³⁹ See Edwards and Hulme, “Too Close for Comfort.”

¹⁴⁰ Kabeer, “Quantifying the Impact of Social Mobilisation in Rural Bangladesh.”

¹⁴¹ Kabeer, Mahmud, and Castro, “NGOs Strategies and the Challenge of Development and Democracy.”

¹⁴² Chandhoke, “Civil Society,” 608.

¹⁴³ Kabeer, “Quantifying the Impact of Social Mobilisation in Rural Bangladesh,” 9.

non-democratic settings. It is here where Robert Putnam's theories on civil society and "social capital" were adopted to support the necessity to strengthen civil society. Putnam, under the influence of Alexis de Tocqueville, argued that the concentration of social capital could contribute directly to political stability and good governance.¹⁴⁴ Kabeer emphasises that according to Putnam, "It was the *density* of associational life rather than the character of different associations that mattered for the development of generalised trust in a society, providing the basis on which its citizens were able to participate in democratic life and hold their governments accountable."¹⁴⁵ In addition, Jonathan Fox explains that for Putnam, the nature of the unit of social capital is irrelevant, but rather "that social capital is continuously distributed both horizontally and vertically."¹⁴⁶

Putnam's influence on neoliberal reforms in development and democratisation initiatives has been noteworthy, in particular for donor preferences to support the establishment and "strengthening" of civil society organisations in authoritarian environments. For example, Guilain Denoeux describes the US government's predilection under former President Bill Clinton for demand- over supply-side civil society assistance strategies. "Supply-side" strategies concentrated on increasing the "quality of governance" or the "quantity of democracy" provided through the state, whereas "demand-side" approaches focused on strengthening civil society "in relation to the state" to augment its own capacity to communicate demands for democracy and good governance. According to Denoeux, "demand-side" approaches tended to reserve a privileged position to increase support to NGOs.¹⁴⁷ Denoeux contends that demand-side strategies rested on paradigms that explicitly supported both the notion that "participation in voluntary associations fosters habits, values, attitudes, and skills conducive to democratic governance" and "the denser and the more active the network of voluntary associations in which individuals take part, the greater this network can act as a counter-weight to the state."¹⁴⁸ For example, by the end of the 1990s it is estimated that there were 15,000 registered civil society organisations in Egypt (double the amount existing in 1977), while the number of registered civil society

¹⁴⁴ Putnam, *Making Democracy Work*.

¹⁴⁵ Kabeer, "Quantifying the Impact of Social Mobilisation in Rural Bangladesh," 8.

¹⁴⁶ Fox, "How Does Civil Society Thicken?" 1091.

¹⁴⁷ Denoeux, "Promoting Democracy and Governance in Arab Countries," 70.

¹⁴⁸ Ibid.

organisations in Tunisia and Lebanon totalled around 5,000 and 3,500, respectively toward the end of that same decade.¹⁴⁹ This more quantitative focus on the density of civil society organisations and more demand-oriented strategies overshadowed, however, the social function of civil society manifesting during this period. This social function effectively served to provide safe spaces for marginalised groups and for community actors to meet. Within this context one observes a conglomeration of classical welfare associations, professional NGOs, state-sponsored NGOs, religiously oriented associations, and grassroots movements providing new spaces to assemble—for example, in civil society organisation headquarters—to gather and learn new skills such as advocacy training and civic education, to network and forge solidarities.¹⁵⁰

The next section further traces the re-emergence of the concept of civil society from the period of the various pro-democracy social movements in Eastern Europe and Latin America to its more recent transformation and integration into neoliberal frameworks. It begins with a brief historical analysis of the rise of civil society organisations from the period of “institutionalisation” or “intensification” to the period of today known as “empowerment” to underscore the prominence these different organisations began to assume within neoliberal frameworks, in particular from the period of the Washington Consensus.¹⁵¹ It then presents more recent donor contributions to these organisations, with a clarification of how finances are channelled “to” and “through” civil society organisations as well as through a host of conditionalities and directives, thereby raising critical questions around the legitimacy and accountability of these organisations within neoliberal frameworks. It is important to note, however, that while a significant proportion of the literature on these entities refers to NGOs this thesis uses the term civil society to refer to not only a broader set of organisations that can include social movements, but also to emphasise the ideological association and appropriation of the concept to effectively serve a range of disparate agendas present day.

¹⁴⁹ Bayat, *Life as Politics*, 84.

¹⁵⁰ Ibid., 86.

¹⁵¹ Charnovitz, “Two Centuries of Participation.”

3. The institutionalisation of civil society and the legitimisation of the NGO

As a point of departure, in the article “Is Social Change Fundable?” Jenny Pearce critically examines civil society organisations that emphasise their own commitment to progressive social change in Latin America. She looks back to some of the organisations that were established during the 1970s and 1980s in the region to advocate for radical social change. She concentrates on these organisations in order to bring into relief the notion that many of these same organisations are now members of the more professionalised aid sector and are heavily dependent on both national and international donor funding. She asks, “Should we be arguing for an end to external funding, and should we challenge any claim that its purpose is to further pro-poor social change in Latin America? Is it not only dangerous in practice to fund social change, but also misguided in principle?”¹⁵² Highlighting some of the contentions with civil society organisations from this period, Pearce underscores a fundamental shift in the spirit of these organisations as agents formerly organised to contest hegemony, to actors who are more aptly considered to consolidate and maintain hegemonies. Moreover, she highlights that the hegemonic force has also shifted from the totalitarian and authoritarian state to the more ubiquitous power of the international aid industry embedded within the neoliberal architecture.

During the 1970s, two percent of civil society organisation income globally came from official donors; from the mid-1990s income from official donors rose to 30 percent. Moreover, from 1984–1994 the British government increased its funding of civil society organisations by almost 400 percent to £68.7 million.¹⁵³ In 2001, just six of the larger international NGOs controlled between US\$2.5 billion and US\$3 billion or between 45–55 percent of all global humanitarian aid and assistance.¹⁵⁴ Finally, in 2011, US\$19.3 billion was allocated to and through civil society organisations by the 24 Development Assistance Committee (DAC) country members.¹⁵⁵ This represents 14.4 percent of total overseas development aid for 2011.¹⁵⁶ These figures point to several trends, among them the astonishing amount of funding available in the last two decades for civil society

¹⁵² Pearce, “Is Social Change Fundable?” 622.

¹⁵³ Manji and O’Coill, “The Missionary Position,” 580.

¹⁵⁴ Barnett and Weiss, *Humanitarianism in Question*, 31.

¹⁵⁵ OECD, “Aid for CSOs,” 3.

¹⁵⁶ Ibid.

organisations from governments and moreover, the likelihood that these organisations have grown reliant on these funding streams. Anthony Bebbington, Samuel Hickey, and Diana Mitlin in *Can NGOs Make a Difference: The Challenge of Development Alternatives* and Steve Charnovitz in “Two Centuries of Participation: NGOs and International Governance” chronicle the rise of these organisations, from several decades (Bebbington, Hickey and Mitlin) to over two centuries (Charnovitz), aligning their increasing prominence with global trends and development discourses. While each writer frames and categorises these periods differently, they do share considerable overlap so both understandings are presented here. In addition, although this history can be traced back 200 years, I concentrate mainly on the period following the Cold War where the concept of civil society re-emerged alongside the pro-democracy social movements in Eastern Europe and Latin America. It is from this period where a significant qualitative and quantitative transformation of civil society organisations takes place.

Chronicling the proliferation of civil society organisations

Charnovitz and Bebbington, Hickey and Mitlin refer respectively to the period of “intensification” (1972–1991) and the second “institutionalisation” and third “NGO boom” phases (1970s–1980s) of civil society organisations in broader discourses on development and poverty alleviation.¹⁵⁷ During these different periods these organisations were more formally integrated into official aid portfolios, with the growth of the civil society sector occurring in both the high income “North” as well as in low-income countries, or what is known as the rather pejorative “South.” Here a tactical swing occurred where civil society participation in social movements for emancipation from repressive structures and the denial of rights altered its course to focus on poverty and basic needs.¹⁵⁸ It is also during this period in which neoliberalism emerged as a prevailing discourse alongside the design of structural adjustment packages for lower- and middle-income countries. As aforementioned, neoliberal policy during this time emphasised that, as an outcome of growing macroeconomic instability, state expenditure should be directed towards the creation of an enabling environment for growth rather than on the provision of public services. This left an opening for non-state actors such as civil society organisations to

¹⁵⁷ Bebbington, Hickey and Mitlin, “Introduction: Can NGOs Make a Difference?” 12–13 and Charnovitz, “Two Centuries of Participation,” 190.

¹⁵⁸ Manji and O’Coill, “The Missionary Position,” 575.

provide such services, namely the provision of social welfare interventions to poorer and marginalised communities.

It is here where Bebbington, Hickey and Mitlin describe the “NGO boom” marked by the increasing willingness of state and development agencies to fund these interventions.¹⁵⁹ Moreover, they note the direct correlation between the rise in foreign aid and the diminishing capacity for civil society to offer genuine alternatives to the scale of suffering caused by the impact of unyielding structural adjustment programmes. They write, “Much was expected of NGOs in this period but there was little to no space to pursue large-scale or system-questioning alternative projects.”¹⁶⁰ Finally throughout this period, civil society organisations assumed a greater role in United Nations fora, for example through their participation in the UN Convention on the Rights of the Child and the UN Conferences on Women (1975–1995). This more public role and participation in international deliberations soon conferred more power and legitimacy unto civil society (organisations primarily in the North) to contribute to development discourses; arguably, it is also with this increased participation from “above” that civil society relationships and hence accountability to their counterparts “below” (in the Global South) came under increased scrutiny.¹⁶¹

From the 1990s the prominence of civil society organisations in neoliberal frameworks could largely be discernible through overseas development assistance/aid budgets from the Development Assistance Committee (DAC) countries. The amount of official funding for civil society organisations during this period more than tripled from US\$2.1 million to US\$5.9 billion (1990–2000) with aid conditionalities from states and donors becoming significantly more rigid.¹⁶² Bilateral and multilateral organisations allocated significant volumes of funding to mitigate the impact of structural adjustment programmes in lower-income countries, with civil society organisations becoming the preferred safety net for the vulnerable in these contexts. It is here where Bebbington, Hickey and Mitlin argue that these organisations were co-opted into the mainstream neoliberal framework and further

¹⁵⁹ Bebbington, Hickey and Mitlin, “Introduction: Can NGOs Make a Difference?” 13.

¹⁶⁰ Ibid.

¹⁶¹ See Edwards and Hulme, “Too Close for Comfort” and Manji, “Collaboration with the South: agents of aid or solidarity?”

¹⁶² Barnett and Weiss, *Humanitarianism in Question*, 33.

distanced from their ability to provide alternatives to these mainstream developments. They observe three primary trends during this period: the deepening of the democratisation and neoliberal agenda, the hegemony of the poverty agenda in international aid, and the more recent emergence of the security agenda whereby international peace and security become integral to the development discourse.¹⁶³ Here “counterterrorism” and “humanitarianism” became increasingly framed alongside one another. In *Humanitarianism in Question*, Michael Barnett and Thomas Weiss underscore this trend with comments from former US Secretary of State Colin Powell, who stated, “Just as surely as our diplomats and military, American NGOs are out there (in Afghanistan) serving and sacrificing on the frontlines of freedom. NGOs are such a force multiplier for us, such an important part of our combat team.”¹⁶⁴

The growing distance between civil society organisations and the populations with which they worked could also be perceptible through a marked distinction in the way overseas development assistance was increasingly being allocated. In the OECD report “Aid for CSOs,” a clear demarcation is made between aid that is channelled “to” civil society and aid that is channelled “through” these different organisations, in particular by the 24 DAC members. This distinction demonstrates not only the power dynamics between international donors and civil society organisations, but also how embedded some of these organisations have become in the delivery of foreign aid (effectively bypassing governments) to lower-income countries. For example, in 2011, US\$3.2 billion in bilateral aid was channelled through civil society organisations for interventions in “government and civil society;” US\$3.1 billion for “emergency response” and an additional US\$2.2 billion for “population policies and reproductive health.” Of the ten sub-sector categories for interventions for bilateral aid, the three above areas feature the highest in terms of aid allocations. Overall the amount of total aid allocated for “government and civil society” interventions in 2011 is only marginally smaller than the overall aid allocations for humanitarian assistance of US\$3.4 billion (including all emergency response, reconstruction relief, and disaster prevention).¹⁶⁵

¹⁶³ Bebbington, Hickey and Mitlin, “Introduction: Can NGOs Make a Difference?” 15.

¹⁶⁴ Secretary of State Colin Powell, Remarks to the National Foreign Policy Conference for Leaders of Nongovernmental Organizations, 26 Oct. 2001, as cited in Barnett and Weiss, *Humanitarianism in Question*, 25.

¹⁶⁵ OECD, “Aid for CSOs,” 10-14.

Moreover, the weight becoming increasingly attached to the role of civil society in good governance strategies in low- and middle-income countries was noteworthy. In addition, the “to” and “through” figures on foreign aid flows to civil society are directly relevant when considering an organisation’s ability to contest power or to maintain it in relation to dominant development discourses and liberal ideology. Overseas development assistance managed and delivered by civil society organisations has increased year on year since 2008; this includes both aid directly “to” civil society organisations as core support as well as aid channelled “through” civil society to implement donor-initiated projects or earmarked funding. Overseas development assistance channelled “through” civil society organisations continues to be higher than aid flows “to” civil society. For example, in 2008 and 2011 aid “to” civil society organisations as core aid was US\$2.9 billion and US\$2.4 billion, respectively. During the same period, aid flows “through” civil society organisations as earmarked funding were US\$11.6 billion and US\$16.9 billion, respectively;¹⁶⁶ in 2011 alone, all aid flows from the United States, the EU institutions, Germany, and France to civil society organisations were “through” as earmarked donor-initiated projects.¹⁶⁷

During what Bebbington, Hickey and Mitlin refer to as the “fourth phase” of the history of civil society organisations, they document this period as being characterised by a growing concern over the practice, direction, and focus of these organisations, their role in the overall reform agenda, and their ability to be accountable to the communities where they work.¹⁶⁸ The figures above illustrate an increasing depolitisation of the civil society sector as it potentially moves away from relationships with social movements and towards a more restricted role as public service contractors and instruments of democracy promotion. In “Reflections on NGOs and Development,” David Hulme analyses whether civil society has genuinely been capable of maintaining a dual strategy of both engagement in global development initiatives—an engagement that often requires cooperation and coordination with international donors, the state and with social welfare provision to deprived communities—and a critique of these very same actors and of the broader Washington

¹⁶⁶ OECD, “Aid for CSOs,” 5.

¹⁶⁷ Ibid., 6.

¹⁶⁸ Bebbington, Hickey and Mitlin, “Introduction: Can NGOs Make a Difference?” 15.

Consensus agenda. Hulme argues, “NGOs have failed to take sufficient note of the key hegemonic actors in both the NGO world and in global power relations.”¹⁶⁹

Today the concept of civil society features across multilateral institutional policy documents and guidelines, encouraging multistakeholder partnerships in the design and implementation of anti-poverty and global health initiatives. Some donors, such as the Global Fund to Fight AIDS, Tuberculosis and Malaria, even require a percentage of civil society organisation participation in national proposal consultation and development.¹⁷⁰ The concept of civil society and the role of these immeasurably different organisations have increasingly gained greater prominence in the neoliberal architecture. This has resulted in careful consideration among some as to whether or not these organisations can effectively put forward alternatives to social change or can realistically contest hegemonic international development discourses. And arguably as these organisations are expected to fill both a role of public service contractor for the provision of social welfare services and as agents to uphold democratic values and good governance, has civil society instead become an instrument to maintain and consolidate these hegemonies? The next section highlights some of the different issues and contentions, even disenchantment, raised in the literature in relation to civil society organisations and how they operate, specifically whether these organisations can continue to be conceived as agents for humanitarian emancipation or whether, with their internal disharmonies comfortably ignored, they are instruments to support and consolidate neoliberal hegemonies.

4. Emerging contentions on civil society and the neoliberal architecture

The concept of civil society continues to evolve in terms of how it is understood and applied by a number of different actors. Moreover, not only does the concept evolve but patterns of civil society engagement also rise and fall in response to a range of factors including, for example, a change in government regime type in which laws of association are either expanded or contracted, the donor and overall funding climate, and in response to global

¹⁶⁹ Paraphrasing Hulme in Bebbington, Hickey and Mitlin, “Introduction: Can NGOs Make a Difference?” 31.

¹⁷⁰ For more information see the Global Fund Country Coordinating Mechanism Eligibility Requirements, Minimum Standards and Updated Guidelines: www.theglobalfund.org/en/ccm/guidelines/

trends or issues of concern such as complex humanitarian emergencies, etc. During the last two decades, the concept of civil society and the civil society sector has come under increased scrutiny as a range of academics and development practitioners caution against the heavy normative assumptions and expectations now resting upon civil society actors. Some of the most common criticisms against civil society organisations emphasise the growing distance and priorities between organisations whose resources and institutions mainly originate in the industrialised West and poorer, marginalised communities in middle- and lower-income countries. These criticisms not only point to the fundamental challenge of “upwards” and “downwards” representation and accountability mechanisms, but also to the inherent weaknesses and contradictions of civil society itself, or rather the incivilities inside which are often easy for both international donors and states to overlook. Chandhoke writes, “Civil societies are what their inhabitants make of them. They can easily become hostages to formal democracy at best, and undemocratic trends at worst.”¹⁷¹ Hence a number of writers advocate the necessity to look beyond accountability mechanisms to the question of whether civil society is itself intrinsically democratic or undemocratic, and to examine more carefully its own inclusions and exclusions.

Writers such as Benoit Challand note the dichotomy between the inherently domestic features of civil society and the increasingly international dimension of the sector shaped through “civil society strengthening” and promotion initiatives by international institutions. He probes, “What impact does external aid towards civil society have on already existing, well-established and firmly rooted civil society organisations?”¹⁷² This implies a linear assumption that with increased donor aid from “above” civil society organisations move further away from their legitimate bases “below.”¹⁷³ Furthermore, this line of argumentation follows that international donors are directly able to influence the discourses and practices of these actors through substantial resource provision. In *Palestinian Civil Society: Foreign Donors and the Power to Promote or Exclude*, Challand contends that through the gradual closing of this discursive (and consequently programmatic) space, donors are inevitably able to decide which organisations are included

¹⁷¹ Chandhoke, “Civil Society,” 613.

¹⁷² Challand, *Palestinian Civil Society*, 11.

¹⁷³ See Edwards and Hulme (1996), Challand (2009), Abdelrahman (2004), and Ferguson and Gupta (2005).

and excluded. In a similar vein, in *Civil Society Exposed: The Politics of NGOs in Egypt*, Abdelrahman considers who in fact draws the line between which groups should or should not be included in civil society, while underscoring the hegemonic power of donors and the neoliberal discourse.¹⁷⁴ She asks, “Whose interests does the universally celebrated civil society project, and NGOs within it, serve and represent, and who benefits from its enhancement?”¹⁷⁵ Both Challand and Abdelrahman highlight the instrumentalising or functionalist tendencies of the international donors in relation to the concept (and application) of civil society outlined in the previous section, as well as the hegemony of the neoliberal architecture in the overall understanding of this concept present day.

Chandhoke and Abdelrahman perceive a domain of actors that have been kidnapped by the neoliberal agenda, a development that has forced even the actors within these different spaces to assert dominant hegemonies and exercise repression over marginalised groups; in effect they argue civil society has lost its “critical function.” Both writers underscore the idiosyncrasies within and among civil society as they encourage academics, practitioners, and donors to look beyond a concept that encourages consensus among a range of disparate groups, income levels, and identities to what actually transpires inside civil society empirically. It is this critical advocacy on the part of these scholars that has in fact inspired and driven the dual approach of my research—both as a conceptual as well as an empirical interrogation of the concept and these actors/organisations. They each highlight two critical issues with regard to civil society: the incivilities *within* civil society and the necessity to conceptualise civil society *alongside* the state. Chandhoke explains:

The de-linking of the state and civil society has greatly impoverished our understanding of both concepts. Those theorists who waxed eloquent on the need for people to connect were to stray away from the shadowy peripheries of actually existing civil societies and underplay the ambiguous relationship of this sphere with democracy.¹⁷⁶

From the period of the seventeenth century the state could be increasingly seen to over-govern its societies. The eighteenth and nineteenth centuries shifted this trend when, first, conceptualisations on civil society emerged as guarantees against the unchecked powers of

¹⁷⁴ Abdelrahman, *Civil Society Exposed*, 26.

¹⁷⁵ Ibid., 1.

¹⁷⁶ Chandhoke, “Civil Society,” 613.

the state; and second, when the state came to play a principal role in development in particular for lower-income countries with organisations such as charities playing a critical role as partners in development.¹⁷⁷ What is critical in this regard today is less the boundaries between civil society and the state, but that this spatial relationship between the state and society is constantly being reimagined. For example, in his description of the Latin American Left, Baker articulates that civil society actors during the 1970s and 1980s were concerned with freedom outside the state, with a politics of survival from the state. Here, Latin American activists and intellectuals sought to separate civil society entirely from the state as a self-managing society. Conceptualisations that situated civil society completely outside and apart from the state could then later be contrasted with how civil society would be framed in the neoliberal architecture, where civil society is articulated above the state through webs of transnational relationships and institutions. The spatial imagining of this relationship as described in Ferguson and Gupta's "Spatializing States: Toward an Ethnography of Neoliberal Governmentality" analyses notions of "verticality" and "encompassing" in regard to how the state has been imagined and perpetuated historically.¹⁷⁸ The transnational characterisation of the state and civil society underscores a key argument put forward by Abdelrahman, namely that the state and civil society are not self-contained. She writes, "They all operate within a world system in which social forces, the nature of the State, and international powers are constantly interacting and reshaping the relations between them."¹⁷⁹

Writers such as Keane and Chandhoke advocate for the necessity to maintain the state–civil society distinction. This is in response to theories that blur the institutions of the two entities and to neoliberal policies that have rendered the state less relevant. Keane argues that the role of the state continues to be particularly relevant because of economic restructuring, controversy over the welfare state, and the growth in social movements. He contends that in fact through neoliberal policies the state has effectively become more powerful in some aspects and more limited in others.¹⁸⁰ Each writer cites for example the role of the state in guaranteeing the role of civil society organisations and the density of

¹⁷⁷ See Jennings, *Surrogates of the State* and Jennings, "Do not Turn Away a Poor Man."

¹⁷⁸ Ferguson and Gupta, "Spatializing States."

¹⁷⁹ Abdelrahman, *Civil Society Exposed*, 10.

¹⁸⁰ Keane, *Civil Society and the State*.

these organisations to meet social needs. The state effectively is responsible for instituting the regulations that govern these organisations, such as through the laws of association and articulating the rights of its citizens. Chandhoke argues, “If we now add that states, far from being passive recipients of pressures launched from civil society, have been active both in the construction and in the diminution of this sphere.”¹⁸¹ Thus even though concepts such as the state and civil society appear to be shifting from a hierarchical ordering to a more transnational character, the two are in fact, and remain, a conceptual pair. It is possible to more holistically understand the state–civil society conceptual binary though adopting a lens that looks historically and currently to not only how civil society and the state are limited by one other, but also to how they enable each other.

A point of criticism that is also levelled against civil society is that through its increasing association with democratic outcomes, the incivilities and exclusions among these actors are often overlooked. In “The Politics of ‘UnCivil’ Society in Egypt,” Abdelrahman observes that civil society has become a space for political conflict, a domain of contradictions and “enduring conflicts of interests.”¹⁸² She notes further:

Repression of civilians and organisations of civil society is no longer the sole domain of the state apparatus. Instead, the very organisations of civil society that have been engaged in a struggle for democracy with the state are contributing to the harassment of other elements of civil society with whom they disagree on the form of society and state that they want.¹⁸³

Moreover, she underscores the normative framework in which debates on civil society and NGOs are situated. She effectively advocates for more empirical evidence into what actually transpires among and between civil society actors over uncritical ideological fervour.¹⁸⁴ Abdelrahman contends that the multiple antagonisms between the different members of civil society serve as evidence of the inherent contradictions embedded within the concept.¹⁸⁵ Later, in *Civil Society Exposed: The Politics of NGOs in Egypt*, she questions the emancipatory function of the concept, challenging the notion that civil society could be “the

¹⁸¹ Chandhoke, *State and Civil Society*, 165.

¹⁸² Abdelrahman, “The Politics of ‘UnCivil’ Society in Egypt,” 21–23.

¹⁸³ Ibid., 25.

¹⁸⁴ Ibid., 21.

¹⁸⁵ Ibid., 32.

main source for social and political transformation.”¹⁸⁶ While emphasising that in fact the concept of civil society can serve as a valuable framework for analysis, she underscores the importance of examining the actual context in which these actors function. Through her research into the Egyptian context, Abdelrahman articulates civil society as fraught with insurmountable degrees internal contention and conflict.

Similarly, Chandhoke perceives a domain stripped of agency and characterised by enforced consensus and multiple hegemonies. She observes, “The moment we perceive civil society from the vantage point of marginalised groups, we may be forced to accept that there is a deep and perhaps irresolvable tension between the acknowledged virtues of the sphere and its actual functioning.”¹⁸⁷ Like Abdelrahman, Chandhoke in effect advises a departure from normative expectations of civil society in order to analyse more concretely what occurs among the actors in this sphere.¹⁸⁸ She writes, “Where in all of this are the grey areas of civil society that Hegel spoke of? Where are the exploitations and the oppressions of civil society that Marx passionately castigated? Where is the state-inspired project of hegemony that Gramsci unearthed so brilliantly and perceptively?”¹⁸⁹ Do some of the more recent criticisms against conceptual and empirical understandings of civil society underscore a public space of civil society that is consensual rather than conflictual by virtue of an emphasis on the notion that these conflicts, particularly in relation to the regular exclusion of marginalised groups, are indeed present? Moreover, do they articulate that there exists an abnormal state of contention within the domain of civil society? Finally, do these contentions and antagonisms play a destructive rather than constructive role in actually expanding discursive spaces?

Conclusion

The nature of civil society as depicted by Hegel, Marx, and Gramsci following the emergence of capitalism in the eighteenth and nineteenth centuries bears little resemblance to how civil society is understood in present discourses on international development and good governance found within the neoliberal framework. However, it could be argued that the

¹⁸⁶ Abdelrahman, *Civil Society Exposed*, 1.

¹⁸⁷ Chandhoke, “Civil Society,” 612.

¹⁸⁸ *Ibid.*, 613.

¹⁸⁹ *Ibid.*, 609.

actual nature and functioning of civil society, in particular during key transformative moments for the state when the stakes are arguably higher, reflects the way these writers understood this dynamic and contentious field of actors. While Hegel characterised civil society as inherently replete with contradictions and conflict, necessitating the regulatory function of the state, Marx shifted the nature of the discourse to restore agency onto civil society, in particular for the marginalised and working classes. Hegel situated the power within the state to organise the internal disharmonies of civil society, while Marx located the agency within civil society itself to resolve its own inconsistencies and liberate itself from capitalist modes of production.

Gramsci incorporated both Hegel and Marx's fundamental understandings of civil society as he witnessed several decades of the impact of capitalism on the state and civil society. Gramsci effectively reversed Hegel's understanding of the relationship between the state and civil society, as he articulated civil society as the final moment as opposed to the "universality" of the state as described by Hegel. Gramsci, like Marx, also acknowledged the relationships of domination and hegemony within civil society; however, he broadens these different sets of actors to not only include the working classes and marginalised groups but also educational, cultural, and religious institutions, where class and ideological battles are constantly being constructed and deconstructed. Both Gramsci and Marx restore agency to these actors who are capable of self-regulation and self-organisation, as well as being able to overthrow the state. However for Gramsci, hegemony is never a final end point but rather a continual process embedded within the inter-relationships between the state and civil society.

Gramsci's understanding of civil society was influential in the social movements in Eastern Europe, but in particular in Latin America among the region's new left during the 1980s. The concept during this period assumed a central role in new radical democratic theory and allowed civil society to become associated with a distinct self-management agenda emphasising the notion of the "defence of freedom outside the state." Within contexts of totalitarian and military rule, the concept of civil society transformed into an ideological tool to cultivate the transition to, and consolidation of, democracy in oppressive countries—consequently relocating civil society as the antithesis of authoritarianism. The concept, in

part through its ideological association with the end of socialist societies, became a vital instrument in the neoliberal architecture for the promotion of the minimalist state and for democratisation.

The 1980s witnessed an effective “NGO boom,” with funding for civil society organisations from some governments increasing greatly—e.g., in the United Kingdom, increasing 400 percent to £68.7 million in one decade. This significant increase in the prominence and legitimacy of civil society organisations was a result of policies outlined in the neoliberal “New Policy Agenda” and Washington Consensus that advocated for a limited state in the promotion of macroeconomic stability. The principal efforts of the state were to be directed toward the creation of an enabling environment for growth rather than toward the provision of public services. Civil society, through the formalised entities of NGOs, emerged to fill this gap and to alleviate the often severe, socioeconomic disruption caused by neoliberal policy through the form of structural adjustment packages. During a relatively short period of time, thousands of civil society organisations emerged to assume two primary roles—as cost-effective providers of welfare services and poverty-reduction initiatives, and as torchbearers for democratic values and good governance. Despite mass mobilisations across middle- and lower-income countries against the austerity of neoliberal policies, civil society organisations have remained critical instruments in sustaining these policies. Furthermore, with increasing overseas development assistance directed “through” these organisations as earmarked funding from primarily Western governments, questions emerge as to whether or not civil society can continue to fill the ideological shoes they inherited during the social movements of the 1970s and 1980s.

In contrasting the dynamic role directly assumed by civil society throughout the social movements in Eastern Europe and Latin America in which Gramscian revolutionary thought featured prominently, to the more functionalist role in which these organisations now find themselves, it is possible to locate the origins of conflicting understandings of civil society. During periods of sharp sociopolitical turmoil, in particular when there is an opportunity to radically reshape the direction of the state, the internal disharmonies of a society are brought into full relief. These vastly disparate understandings and historical transformations of the concept of civil society are a fundamental source of this internal disharmony where

conflict which was once considered as positive and productive, is now understood as destructive to democratisation. In particular, the Gramscian understanding of the concept that emphasises agency, instability, and the reversible nature of hegemony begins to stand in discernible opposition to the neoliberal understanding in which the role ascribed for civil society actors is constrained and conflicts are de-emphasised. I contend here and across the thesis that at the root of the conflicts and contentions observed among civil society are also two simultaneously operating but incompatible concepts of civil society influenced by the ideology of Communism on the one hand and the ideology of neoliberalism on the other.

The next chapter undertakes a brief discussion of the origins and structure of the pre-independence Tunisian state, in particular by looking to the influence of Ottoman control from the sixteenth century and French colonial rule from 1881. It then examines in more detail the leadership of the post-independence state from 1956 to 1987 under Habib Bourguiba and from 1987 to 2010 under the regime of Zine El Abidine Ben Ali. The chapter highlights how each regime introduced elements of liberalism and pluralism at varying periods, but also quickly withdrew these measures upon manifestations of perceived opposition; this is in relation to the public spaces in which both political and civil opposition could be detected. Through this examination of the consolidation of the Tunisian state, it will be possible to further understand how the disparate conflicts and cleavages emerged among civil society actors and groups following the downfall of the Ben Ali regime in 2011.

Chapter III. The consolidation of the Tunisian state

The security and stabilisation of the status quo in the Middle East and North Africa have often taken precedence for states over political and societal pluralism in the region. This has led over time to various consequences for civil society. One outcome is the expansion of the public sector by the state to such an extent that it has inevitably sought to incorporate civil society organisations directly into the state structure. This has had the effect of driving many alternative forms of collective activism and association underground, further fermenting dissent.¹⁹⁰ A second consequence is that the cost of maintaining an overstretched “bureaucratic” state has led, in some instances, to the transfer of the social contract to civil society organisations to support social welfare interventions. To avoid contestations to the existing hegemonic order while simultaneously managing dissent, a degree of “sanctioned” civil society is permitted to operate, often under the direct guise of the government’s public sector.¹⁹¹ Since Tunisia’s independence in 1956, the symbolic and physical public spaces provided for civil society have regularly expanded and contracted to accommodate the disparate agendas of state and international entities. Through a strategy of what Eva Bellin describes as “controlled *civisme*” Tunisian leaders “have actively mobilised their citizens in parties and associations, but have subjected these parties and associations to very strict state control in an effort to limit their autonomy and their contestatory capacities.”¹⁹² Under the leadership of Habib Bourguiba and Zine El Abidine Ben Ali, the Tunisian state simultaneously cracked down routinely on perceived opposition and fostered secular spaces for civil society to manoeuvre as well as Islamist subaltern spaces.

In order to more fully understand how conflict is manifested among civil society actors and groups, as well as the critical areas and consequences of these conflicts following the downfall of an authoritarian regime, it is important to examine the nature of the state prior to this regime change. Therefore, it is necessary to examine the space(s) afforded to civil society actors and groups prior to the downfall of the Ben Ali regime. This involves a

¹⁹⁰ See Ismael, *Middle East Politics Today*, 72.

¹⁹¹ Bellin, “Civil Society in Formation: Tunisia,” 124.

¹⁹² *Ibid.*, 126.

consideration of the nature of the pre- and post-independence Tunisian state and its approach to not only civil society, but also more broadly to perceived or viable opposition. This chapter begins with a brief discussion of the origins and structure of the pre-independence Tunisian state, by looking specifically to the influences of Ottoman control from the sixteenth century and French colonial rule from 1881. It then examines the leadership of the post-independence state from 1956 to 1987 under Habib Bourguiba and from 1987 to 2010 under the regime of Zine El Abidine Ben Ali. In particular, I underscore how each regime introduced elements of liberalism and pluralism at varying periods, but also quickly withdrew these measures upon manifestations of perceived political or civil opposition. Moreover, I highlight the impact of these practices on Tunisian society across this period. The chapter then examines the response of the Ben Ali regime to civil society actors and groups. To do this I analyse the laws of association promulgated during this period (and the modifications therein) and provide a description of the particular aspects of harassment and repression applied by the regime against more public or contentious organisations, such as the Tunisian Human Rights League (LTDH) and the General Labour Union of Tunisia (UGTT), as well as against smaller human rights organisations. Finally, this chapter presents the different experiences of the civil society organisations interviewed for the research that operated under a dictatorial regime that, over time, greatly constricted the spaces for collective activism and grassroots organisation. It is important to note, however, that while renowned organisations such as LTDH and UGTT have played a vital role in Tunisia's civil society and sociopolitical landscape, I do not examine these organisations in detail in this thesis. First, this is because much has been written on these organisations by other scholars;¹⁹³ and second, because the two organisations are larger umbrella network organisations comprising several interests and groups, as for example UGTT represents all workers' interests in all sectors on labour laws and rights. This research looks to smaller organisations, some of which operate on the periphery with vulnerable groups and/or at the margins of mainstream of sociopolitical priorities. Finally, throughout this chapter and the subsequent three chapters, much of the data I draw upon comes from the research informants and the parallel experiences they had in relation to the principal themes I explore in the thesis. And while this research is primarily qualitative, in places

¹⁹³ See Yousfi, *L'UGTT: Une Passion Tunisienne*; Cavallo, "Trade Unions in Tunisia;" King, "Regime Type, Economic Reform, and Political Change in Tunisia;" and Ben Romdhane, *Tunisie: Etat, Economie et Société*.

where I think it would be constructive to indicate how much an experience or sentiment is shared by participants, I highlight this quantitatively.

The next section examines the nature of the Tunisian state. This involves a short discussion of the Tunisian state prior to independence in 1956, alongside a more detailed examination of the different transformations of the state under the regimes of Bourguiba and Ben Ali. This allows space to consider the origins, structure, and leadership of the Tunisian state while giving room for a more explicit focus on the nature of Tunisian society that developed as a result of these disparate developments.

1. Situating the Tunisian state

While descriptions of the political history of Tunisia often begin with the charismatic leadership of Habib Bourguiba following Tunisia's independence from French colonial rule in 1956, the origins of the Tunisian state in the Maghreb region have far deeper roots. In his book *Tunisie: Etat, Economie, et Société*, Mahmoud Ben Romdhane examines the various factors that could explain the persistence of authoritarianism in Tunisia over a half century after its independence. He and other writers, such as Michael Willis and Christopher Alexander, trace the specific characteristics of the Tunisian state from even before the eighteenth century to explain some of the core features that continue to leave their historical residue on the country today.¹⁹⁴ Although there are several key factors and historical events that greatly influenced the nature of the Tunisian state that emerged following independence in 1956, two are considered here. These are Ottoman control from the sixteenth century and French colonial rule from 1881 to 1956, as these represent critical periods during which core structures and features of the Tunisian state began to materialise.

The origins of the Tunisian state

Prior to Ottoman control, the Hafsid dynasty governed the majority of what is known as Tunisian territory from 1207 to 1574, with its control expanding in conjunction with the extension of trade ties with Europe. Alexander points out, "More than any other pre-

¹⁹⁴ Willis, *Politics and Power* and Alexander, *Tunisia*.

Ottoman dynasty, it is the Hafids that modern Tunisians often regard as the founders of a Tunisian state.”¹⁹⁵ The Ottomans seized control of Tunis in 1574 and eventually appointed a *bey*, or a civil administrator, to maintain all executive, legislative, and judicial authority over Tunisia. However, difficult climates and nomadic populations continued to pose challenges for political administration, thus constraining the bey’s authority and ability to collect taxes and enforce the law in the central and southern areas as well as the northwest regions along the Algerian border.¹⁹⁶ To address this, the *bey* appointed chiefs to collect taxes and administer the law in their local tribes; these local chiefs are said to have maintained complete independence during this period.¹⁹⁷ While this allowed a more effective administration of these key functions in the more difficult to reach territories, authority over the disparate tribal populations remained fragmented in Tunisia for several centuries. In addition, the influence of the reform movement in Istanbul on similar reform movements in Tunisia, such as the “Young Tunisians,” moved the country closer to more established and centralised forms of government and a more consolidated state.¹⁹⁸ Nevertheless, the Ottoman period in Tunisia effectively exacerbated the coastal versus interior divide. It also carried with it the increasing importance of Islam as a “central and legitimising aspect of political power.”¹⁹⁹

Subsequently, French colonial rule at the end of the eighteenth century introduced a number of reforms that would eventually extend and consolidate the Tunisian state into well beyond the 75-year period of colonial rule. In 1881 France gained substantial control over Tunisia and in 1883 it became a French protectorate. French colonialism had economic impacts that arguably continue today through the extraction of raw materials, exploitation of labour, the dislocation of agricultural labourers, and the gradual process of the privatisation and centralisation of land. But the protectorate administration also established municipal governments, improved transport infrastructure, and strengthened the central government’s ability to extend into the more difficult-to-reach peripheral and tribal areas of the country. For many countries, such as neighbouring Algeria, the experience of colonialism

¹⁹⁵ Alexander, *Tunisia*, 12.

¹⁹⁶ Ibid., 13.

¹⁹⁷ Ibid.

¹⁹⁸ Willis, *Politics and Power*, 15.

¹⁹⁹ Ibid., 18.

not only significantly disrupted economic dynamics, but also damaged political institutions. Alexander contends, “This experience of uninterrupted state-building and progressive centralisation marks an important difference between Tunisia and many other colonized countries....Since Tunisia avoided this kind of profound disruption of its central governing institutions, the new government would not have to create a whole new order atop the rubble of the old one.”²⁰⁰ In addition, French support for educational reforms allowed for the creation of a new educated elite whereby a significant number of young people from middle-class families, children of provincial landowners, and small businessmen were able to access new educational opportunities at home and abroad.²⁰¹ With economic conditions worsening under French colonial rule and an emerging well-educated class, both the “old indigenous elite” and the younger and more radical elements of Tunisian society returning from studies in France eventually formed the nationalist Destour party in 1920.²⁰² The party called for greater rights for Tunisians, but it did not make attempts to unite the different elements of the Tunisian population—such as traditional elites, students, workers, and farmers—behind a collective united strategy for opposing French rule.²⁰³ Concerned with the daily economic problems facing Tunisians across the rural-urban dichotomy, younger activists, including Habib Bourguiba, worked to establish a new party that could construct a broad-based and unifying movement for Tunisians to support; as a result the Neo-Destour party was established in 1934. Neo-Destour, while not without conflicting elements inside the party, operated based on a moderate strategy of a negotiated transition to independence from the French.²⁰⁴ It became evident that a unified nationalist movement could be effective and widely influential as an outcome of practices adopted under French rule. Willis points out, “The full and effective subjugation of the rural areas and the tribes that lived there by the colonial powers, and their success in bringing them under the control of central political authority, had never previously been achieved.”²⁰⁵ Effectively, prolonged efforts towards political centralisation in Tunisia became a tool through which to diminish the autonomy of the tribes, but also to serve Neo-Destour in unifying and mobilising broad elements of the Tunisian population in the drive for independence.

²⁰⁰ Alexander, *Tunisia*, 21.

²⁰¹ Ibid., 26–27.

²⁰² Willis, *Politics and Power*, 24.

²⁰³ Alexander, *Tunisia*, 26.

²⁰⁴ Ibid., 29.

²⁰⁵ Willis, *Politics and Power*, 32–33.

The Bourguiba project: modernisation and secularisation

At independence in 1956, Tunisia was considered an “established bureaucratic state.”²⁰⁶ Bourguiba was considered the architect and father of Tunisian modernity, as he carried Tunisia and the Neo-Destour Party through the tumultuous independence period to fight for liberation from the French, with the period from 1949 to 1954 manifesting in both guerrilla warfare in the countryside, as well as student and worker strikes in the cities.²⁰⁷ Ben Romdhane notes that for several years following the attainment of independence, Bourguiba was the target of numerous coups and threats against his regime, with many of these challenges directed by Salah Ben Youssef following his expulsion from the Neo-Destour Party in 1955. A key figure in the movement for Tunisia’s autonomy from France, and for independence, Ben Youssef was influenced by the pan-Arab nationalism featuring across the region in Egypt, Syria, and Iraq, and therefore advocated more militant methods to achieve independence from the French in contrast to Bourguiba’s strategy of a transition in stages.²⁰⁸ Ben Youssef and the Youssefists instigated attacks, sabotage (including the derailing of trains), and violence, whereby during a period of “total chaos” the entirety of Tunisia was affected with over 900 deaths.²⁰⁹ These initial moments of state fragility and conflict over Bourguiba’s national project eventually contributed to the nature of how he governed Tunisia, and more importantly, it is argued, greatly influenced his more severe responses to perceived political opposition. Bourguiba’s determined and sustained strategy of building national support through the broader appeal to patriotism to achieve independence eventually succeeded in 1956. His politics of “national unity” was aided through the post-colonial legacy of a highly efficient and highly centralised state apparatus.²¹⁰ For example, Alexander writes, “Tunisia’s struggle did not involve a fight over land or between two fundamentally different political orders. Rather, it was largely a struggle over who would staff and lead the organs of a central government that had developed steadily for more than a century.”²¹¹ However, it is argued that Bourguiba’s politics of national unity left minimal space for opposition. This, in addition to a country that

²⁰⁶ Anderson, *The State and Social Transformation in Tunisia and Libya*, 231, as cited in King, “Regime Type, Economic Reform, and Political Change,” 63.

²⁰⁷ Alexander, *Tunisia*, 31.

²⁰⁸ Ibid.

²⁰⁹ Ben Romdhane, *Tunisie: Etat, Economie et Société*, 66–67.

²¹⁰ Willis, *Politics and Power*, 34.

²¹¹ Alexander, *Tunisia*, 34.

historically was characterised by the absence of popular participation in politics, set the stage for authoritarian tendencies that would fully manifest at a later stage. Moreover, Ben Romdhane highlights the period of instability and insecurity in the years that followed independence as a series of key watershed moments that ultimately reinforced at the highest level of the state and the Party an “authoritarian spiral.”²¹² These initial experiences of both civil war preceding independence, and the years of violence in its consolidation, effectively eliminated the possibility for democratic pluralism in Tunisia for the decades that would follow.

During the 1956-1969 period, the Bourguiba regime entered into what Ben Romdhane refers to as a period of “national construction” through a process of firmly establishing the state’s sovereignty and legitimacy—politically, economically, and militarily—alongside the further institutionalisation of solid state infrastructure and the implementation of modernisation measures.²¹³ With a French presence remaining on Tunisian territory even following independence (the French army had bases in both the northern and southern regions following independence), fragmented justice systems, French currency, and limited education for the majority of the population, only the state could lead such significant reforms. Beji Caid Essebsi, a former minister under Bourguiba and, perhaps not without coincidence, the democratically elected president of Tunisia in 2014, remarked:

It was through the mobilisation of the dual State-Party that Bourguiba was able to lead these reforms. It was by definition a reform from on high applied with a certain authoritarianism. It necessitated a strong state, a strong competence, and at its leadership, a man....Habib Bourguiba was this man as a result of his incontestable legitimacy, the sacrifices he made for his country and his own personal strength. Bourguiba did not need pressure from a popular base nor democratic control to undertake these grand reforms.²¹⁴

During the Bourguiba regime, political reform and social reform were also inseparable.²¹⁵ Article 1 of the 1959 Tunisian constitution came to represent the “spinal cord” of Tunisian political identity; it stated, “Tunisia is a free state, sovereign and independent; its religion is

²¹² Ben Romdhane, *Tunisie: Etat, Economie et Société*, 67.

²¹³ Ibid., 69.

²¹⁴ Citing Caid Essebsi, Ben Romdhane, *Tunisie: Etat, Economie et Société*, 71.

²¹⁵ Ghorbal, *Orphelins de Bourguiba*, 24.

Islam, its language is Arabic and its regime is a republic.”²¹⁶ Article 1 inevitably became the mechanism through which Bourguiba led and maintained an authoritarian regime in Tunisia.²¹⁷ Article 1 was commonly referred to as the “Bourguiba solution” with secularism featuring as an underlying ideology for Tunisia during this period.²¹⁸ More importantly, in his biography of Bourguiba, Samy Ghorbal explains that Bourguiba believed that a modern state would not hold in a traditional society and thus the building of the modern state involved not only the establishment of political structures but also the “vigorous targeting of society.”²¹⁹ Integral to this was the Code of Personal Status (CPS) of 1956 that led Tunisia to become the first country in the Arab–Muslim world to ban polygamy and which radically changed women’s social position in the country.²²⁰ As a result of these policies and strategies, at the end of the 1960s democracy seemed untenable as the top-down process of national construction left little room for the emergence of political parties. Concurrently, the institutions of civil society had become weak or non-existent as a result of a gradual process of co-optation into the broader *Parti Socialiste Destourien* (PSD) State-Party.²²¹ Ben Romdhane, citing Caid Essebsi, writes, “A strictly democratic regime would have probably had to abandon all of these progressive, liberal and absolutely decisive reforms to come out of the archaic nature of Tunisian society of the 1950s.”²²²

Nevertheless, in contrast to the poor socioeconomic indicators of the 1960s, which included extreme levels of poverty across the country, high levels of illiteracy, the majority of the population being located in rural or semi-urban areas or in overpopulated town centres, and with regular employment only available for a minority of the population, the 1970s saw a reversal of these trends.²²³ Following a period of socialism under the direction of Ahmed Ben Salah in the 1960s, the Minister of Plan and National Economy, in which there was a national endeavour toward import-substituting industrialisation accompanied by significant increases in foreign borrowing and consequently debt, the 1970s experienced a sharp shift

²¹⁶ Ghorbal, *Orphelins de Bourguiba*, 11.

²¹⁷ *Ibid.*, 26.

²¹⁸ *Ibid.*, 10–11.

²¹⁹ *Ibid.*, 24.

²²⁰ Zartman, *Tunisia: The Political Economy of Reform*, 3.

²²¹ Ben Romdhane, *Tunisie: Etat, Economie et Société*, 73.

²²² *Ibid.*, 72.

²²³ *Ibid.*

toward market reforms.²²⁴ With a concerted focus on export-oriented development strategies to attract domestic and foreign investment, Tunisia effectively became one of the first countries in the Middle East and North Africa to implement policies of *infitah* or “opening.”²²⁵ From 1970–1974, Tunisia’s exports rose from 98.8 million dinars to 398 million dinars. Growth rates increased to 8–10 percent, placing Tunisia among the world’s top ten countries for GDP growth per person during that period.²²⁶ Significant injections of private sector resources in conjunction with increased international optimism for Tunisia’s economic prosperity contributed to increases in the number of employees in both the private and public sector, generating an estimated 400,000 new jobs. This growth also raised per capita income by over 70 percent and reduced the overall poverty level to less than 13 percent; also notable is the decrease in illiteracy from 84.7 percent in 1956 to 47.5 percent by 1980.²²⁷

Simultaneously there emerged a more radical and combative educated young workers movement, with UGTT eventually becoming autonomous from the PSD, as well as an active and engaged student movement and nascent human rights advocacy culminating in the creation of the National Council for the Defence of Public Liberties. However, subsequent to economic deterioration at the end of the decade as a result of the European economic recession and state overinvestment in public sector enterprises in order to continue to provide employment, debt rose to 74 percent of GDP in 1987.²²⁸ A foreign exchange crisis prompted the government to eventually negotiate a structural adjustment package with the IMF and World Bank in 1986. Moreover, increasing disenchantment with the Bourguiba regime and greater calls for more representative institutions and democratic processes led to a new wave of authoritarianism in Tunisia after discredited democratic elections in 1981. Ben Romdhane writes, “The institutions that civil society took years to create—the syndicates, political parties, the League of Human Rights, etc...—were destroyed...As to those who were responsible for protecting society—the systems of justice and the forces of

²²⁴ Alexander, *Tunisia*, 71–75.

²²⁵ Ibid., 76.

²²⁶ Citing Ben Romdhane, “Mutations économiques et sociales,” 277–279, in Alexander, *Tunisia*, 77.

²²⁷ Ben Romdhane, *Tunisie: Etat, Economie et Société*, 74–75.

²²⁸ Alexander, *Tunisia*, 78–79.

order, they were charged with silencing, arresting, imprisoning and torturing.”²²⁹ This crackdown on political opposition, collective activism, and secular as well as Islamic civil society actors and groups eventually necessitated a space for political and civil alternatives to emerge.

The manifestation of political Islam

The exact role of religion in post-independence Tunisia was ambiguous. Conscious of the mobilising function of Islam, Bourguiba continued to make public references to Islam.²³⁰ Samy Ghorbal argues, “Bourguiba very neatly refused to disassociate political categories from religion ones. To the contrary he in fact he worked to aggravate and maintain this confusion.”²³¹ Ghorbal states that the Bourguiba regime in particular was driven to domesticate religion, whereby the president interpreted and qualified religious text and law when necessary, using religious law to justify his secularising reforms. Ghorbal in fact, goes so far as to term this “*Ijtihad* Bourguibien.”^{232,233} Bourguiba eventually took control of the mosques and their personnel, integrated the Sharia courts into the secular legal system, and combined the renowned University of Zaytouna—considered a dangerous obstacle ideologically and politically²³⁴— with Tunis University.²³⁵ In 1960, the president even attempted, albeit unsuccessfully, to motivate people to abandon the *Ramadan* fast, alleging that fasting could be harmful to Tunisia’s economic growth and efforts to modernise. He famously drank a glass of orange juice during Ramadan following a public rally in 1964.²³⁶

Tunisia’s post-independence drive to modernise cultural practices was considered the most radical in the region, in large part because it came at the expense of the majority of the public who remained relatively conservative.²³⁷ Abdelkader Zghal explains that the Islamic movement inevitably became “the product and the expression of this resistance to the

²²⁹ Ben Romdhane, *Tunisie: Etat, Economie et Société*, 78.

²³⁰ Willis, *Politics and Power*, 158.

²³¹ Ghorbal, *Orphelins de Bourguiba*, 16.

²³² *Ijtihad* refers to a historical process in Islamic law in which the core sources were interpreted by religious scholars (*mujtahids*) to align with emerging practices within post-Medineen societies; the practice of *Ijtihad* is said to have ceased by the eighth and ninth centuries (although this is still highly contested); for additional information see Hallaq, “On the Origins of the Controversy.”

²³³ Ghorbal, *Orphelins de Bourguiba*, 15.

²³⁴ Hamdi, *The Politicisation of Islam*, 13.

²³⁵ Willis, *Politics and Power*, 158.

²³⁶ Ibid.

²³⁷ Zghal, “The New Strategy of the Movement,” 207.

modernisation policy of Bourguiba, a policy perceived as a mechanism of submission and alienation to the West.”²³⁸ He contends that the core strategic direction of the Islamic movement was to “deal carefully and tactically” with traditional Islam, to incorporate Salafist Islam into the Tunisian context, and to eventually “reconcile” Islam with modernity.²³⁹ The principal Islamist party in Tunisia, *le Mouvement de la Tendance Islamique* (MTI), struggled throughout the Bourguiba regime to definitively determine how politically engaged it should become and the degree to which it should become politically visible. The leadership of the Islamist movement in Tunisia was well educated and highly motivated to address the narrowly secular orientation of the Bourguiba government in particular.²⁴⁰ One of the key figures throughout the life of MTI and eventually the Ennahda party, Rachid Ghannouchi, explained that Islam was a comprehensive methodology for liberation: “It liberates humanity from the tyranny of dictatorship and exploitation; it is a call to unitarianism and its attendant values of equality, fraternity, freedom and the love of justice.”²⁴¹ However, the Tunisian Islamist movement did not necessarily adhere to the promotion of the classical model of Islam. Moreover, the Tunisian Islamist movement did not contain a reputable Islamist scholar, and over time, it moved away from “non-political concerns such as morality, faith and social harmony” to increasingly seeking to engage in and influence political matters.²⁴² For example, in 1978 the movement began to publish a weekly news journal entitled *Al-Mujtama* (“The Society”) through which Tunisian Islamists demonstrated their support for the Iranian revolution. Simultaneously, a widely growing Islamist student movement was developing, expressing the call for a pro-Islamic anti-Western revolution.²⁴³

In 1981, MTI organised a press conference to announce its intention to transform into a legal political organisation “focused on restoring Tunisia’s Islamic identity.”²⁴⁴ From here Willis contends that the government response to discernible opposition became severe whereby the leadership of MTI was arrested, charged with forming an illegal organisation,

²³⁸ Zghal, “The New Strategy of the Movement,” 207.

²³⁹ Ibid., 208.

²⁴⁰ Willis, *Politics and Power*, 156.

²⁴¹ Al-Ghannouchi, *Mahwair Islamiyya*, op. cited p. 71 in Hamdi, *The Politicisation of Islam*, 164.

²⁴² Hamdi, *The Politicisation of Islam*, 164.

²⁴³ Ibid., 33.

²⁴⁴ Willis, *Politics and Power*, 164.

publishing inaccurate information, and defaming the president; many members were imprisoned and tortured, with some given life sentences and the death penalty.²⁴⁵ This period of a contraction of public spaces also involved the routine arrest and imprisonment of MTI members throughout the remainder of the Bourguiba regime, with the president quoted as declaring, “The eradication of the Islamist poison will be the last service I’ll render Tunisia.”²⁴⁶ Nevertheless, some consider this period of repression as a beneficial tool for MTI as it reaffirmed the unity of the Islamist movement, gave grounds for it to insist on formal recognition, and “confirmed its commitment to peaceful and democratic means of political action.”²⁴⁷ Furthermore, throughout the 1980s in particular, Islamic activists were able to situate themselves as a vital voice for economic discontent as well as champions of the politically marginalised. MTI was also able to benefit from growing popular dissatisfaction with the secular direction of the government and its elites.²⁴⁸

Despite scholars’, international donors’ and policymakers’ aspirations for Tunisia to become one of the region’s best hopes for liberalism with Bourguiba’s earlier demonstration of pluralistic tendencies accompanied by economic stability, soon his regime’s tacit attempts to manage any dissent overshadowed these potential gains.²⁴⁹ For almost three decades the Bourguiba regime brought economic growth and stability while it concurrently increased crackdowns and human rights abuses against perceived opposition. For Bourguiba, the drive for ideological conformity towards an all-encompassing modernising agenda eventually overpowered forms of collective activism including from among both Islamist and secular movements, which did not align with his vision of post-independence Tunisia. In this instance, the almost total state endeavour toward secularism and modernity inevitably impacted upon the nature of Tunisian society. It also unwittingly permitted formidable counter-publics to be forged.

The rise of Ben Ali and the retrenching of liberal authoritarianism

In what was considered a bloodless “medical coup” as a consequence of the deterioration in his health and popularity, Bourguiba was succeeded as president by Zine El Abidine Ben Ali,

²⁴⁵ Willis, *Politics and Power*, 164.

²⁴⁶ Hermassi, “The Islamicist Movement and November 7,” 196, cited in Willis, *Politics and Power*, 166.

²⁴⁷ Al-Mansuri, *al-Ittijah al-islami wa Burqayba*, op. cit, 37 in Hamdi, *The Politicisation of Islam*, 44–45.

²⁴⁸ Waltz, “The Politics of Human Rights,” 82.

²⁴⁹ King, “Regime Type, Economic Reform, and Political Change in Tunisia,” 64.

his former interior minister and prime minister, in November 1987.²⁵⁰ With increasing hostility and repression against all forms of opposition accompanied by eventual drops in economic indicators and standards of living, Ben Ali's ascendancy to the presidency was initially (and ironically) hailed by the media, members of the academic sector, and donors as a Tunisian "revolution." For Ben Ali, political stability and the implementation of the neoliberal reforms through structural adjustment programmes previously negotiated under Bourguiba in 1986 became one of the regime's principal priorities.²⁵¹ During the 1990s, the government pursued strategies to stimulate private investment, including the privatisation of state-owned enterprises established in the 1970s and 1980s that previously benefited from heavy injections of state investment. And while Western financial institutions praised Ben Ali for his persistence in implementing market-oriented reforms, he was nevertheless criticised for the pace at which he implemented other key reforms such as these privatisation measures.²⁵² In an effort to maintain political stability and preclude social unrest, the goal of both the preservation and creation of new jobs was paramount for the regime.²⁵³

While Ben Ali was keen to demonstrate a commitment to neoliberal economic reform both at home and abroad, he was equally committed to demonstrating his outward conviction in liberal political reform. As early as the 1990s, Ben Ali created perceptible openings for political liberalisation; accompanying these measures was an international enthusiasm for the democratic potential these new opportunities could offer Tunisian political society.²⁵⁴ The new president pardoned opposition leaders, allowing them to return from abroad, and provided amnesty to a multitude of political prisoners;²⁵⁵ liberalised press codes; inaugurated human rights reforms (Ben Ali was even awarded an international human rights prize in 1989); and loosened the 1959 laws of association (no. 59-154).²⁵⁶ In 1988, the

²⁵⁰ As a result of growing concerns over his ability to govern, Ben Ali organised a group of seven physicians to attest to Bourguiba's incapacity. On 5–6 November 1987, Ben Ali took over the presidency. See: Alexander, *Tunisia*, 52.

²⁵¹ Alexander, *Tunisia*, 79.

²⁵² Ibid., 80.

²⁵³ Ibid.

²⁵⁴ See Zartman, "The Conduct of Political Reform," 16 and 25; Geyer, *Tunisia: A Journey through a Country that Works*.

²⁵⁵ Zartman, "The Conduct of Political Reform," 16.

²⁵⁶ Waltz, "Clientelism and Reform in Ben Ali's Tunisia," 36.

National Assembly passed a law authorising political parties (although it prohibited parties based on “religion, language, race or religion”) and in 1989 presidential and parliamentary elections were held with the Constitutional Democratic Rally (RCD) party receiving a total vote of 80 percent. William Zartman writes, “The government announced its entry into the democratic era with understandable pride and enthusiasm, since Tunisia had its first free and fair, non-violent, competitive multiparty elections.”²⁵⁷ Ben Ali himself was elected with a nearly unanimous vote of support of 99.27 percent, albeit only representing half of the total 4 million potential voters (only 2.1 million Tunisians voted).²⁵⁸ Scholars such as Susan Waltz and Eva Bellin observed that despite these signs of optimism, the residue of personalist rule would soon rematerialise. Rather than creating a system of multiparty opposition, the regime was actually increasing its power and further embedding authoritarian and repressive practices.²⁵⁹

Events in neighbouring countries in the region directly influenced the approach the Ben Ali regime would eventually adopt toward Islamist opposition, in particular as Ben Ali sought to further establish his legitimacy as Tunisia’s leader. This included the victory of the Islamic Salvation Front (FIS) in Algeria in the first round of parliamentary elections in December 1991, Islamist demonstrations against the US military in Saudi Arabia following Iraq’s invasion of Kuwait earlier that year, and more locally in 1991, the attack on the RCD’s central offices in Tunis during which a security guard died and several were wounded (despite being blamed by the Ben Ali government, Ennahda consistently denied responsibility for event).²⁶⁰ For example, MTI became a viable threat to the Bourguiba regime when it eventually attained significant representation in the 16th national conference of UGTT; it had secured an executive committee position on the board of the Tunisian League of Human Rights; it featured regularly in the media; and MTI witnessed its student movement expand to over 15,000 students petitioning to hold a general student MTI conference.²⁶¹ However, Ben Ali released several thousand MTI activists in prison and

²⁵⁷ Zartman, “The Conduct of Political Reform,” 23.

²⁵⁸ Ibid., 24.

²⁵⁹ See Bellin, “Civil Society in Formation: Tunisia,” 29.

²⁶⁰ Entelis, “Political Islam in the Maghreb,” 46 and Willis, *Politics and Power*, 168.

²⁶¹ Hamdi, *The Politicisation of Islam*, 50.

eventually released Rachid Ghannouchi and the movement's core leaders in May 1988.²⁶² In a concerted attempt to develop a less confrontational relationship with the new regime, Ghannouchi made clear that MTI only hoped to attain ten seats in the Assembly and, in an effort to minimise explicit references to Islam, in 1989 MTI was renamed *Hizb Ennahda*, or the Ennahda party, in its application to establish a formal political party.²⁶³ The results of the election to the National Assembly allocated all seats to Ben Ali's RCD party, and no seats to Ennahda. It is argued that Ennahda attracted at least 30 percent of the popular vote in reality, and therefore Ennahda publicly contested the election.²⁶⁴ From this point, the relationship between the Ben Ali government and Tunisia's Islamist movement began to take on the residue of the former regime's approach to all political opposition. In May 1989 Ghannouchi sought exile in Algeria and eventually the United Kingdom in protest against the election results. Eventually Ennahda was banned and in 1992 its entire leadership was imprisoned.²⁶⁵

The threat of Islamist "extremism" as perceived more broadly in the Middle East and North Africa during this time effectively allowed the Ben Ali regime to repress significant sections of the population as well as any form of collective activism understood as potential opposition.²⁶⁶ Soon the regime's interior minister began a swift public opinion campaign against Ennahda, which resulted in the arrest of the remainder of Ennahda's members in only a matter of months. Mohamed Hamdi writes:

What followed later was a total attack on Ennahda and everything connected with it, in almost every political and social aspect....The thousands of its leaders and members arrested were put on trial and given various sentences ranging from the death penalty...to life sentences for most of the political leaders.²⁶⁷

²⁶² Willis, *Politics and Power*, 166.

²⁶³ Willis, *Politics and Power*, 166–167 and Gray, "Tunisia after the Uprising," 288.

²⁶⁴ Willis, *Politics and Power*, 166–167.

²⁶⁵ Gray, "Tunisia after the Uprising," 288.

²⁶⁶ It is important to note that there is disagreement in academic literature on Tunisia concerning how and why Tunisians lived under an authoritarian regime over several decades whereby extreme repression was applied against perceived opposition. This debate is poignantly explored by Ben Romdhane, *Tunisie: Etat, Economie et Société* who details the economic, social and political explanations behind this phenomenon and who is critical of the analyses of writers such as Michel Camau and Beatrice Hibou.

²⁶⁷ Hamdi, *The Politicisation of Islam*, 72–73.

Despite routine crackdowns on perceived Islamic activity, the Ben Ali regime emphasised that such restrictive policies underpinned economic growth, improved living standards, and “protected social advances such as the integration of women into the public and economic life.”²⁶⁸ The Ben Ali government also went to great lengths to associate Islamist movements with intolerance and violence. Susan Waltz argues that were it not for the moral panic shared in the perception of the “dangers of the Islamist movements” among political leaders in the region as well as policymakers in the West, Western governments might have worked more diligently to underscore the ongoing human rights abuses against Islamists across North Africa. According to Waltz, “As it is, thanks to a Western revulsion at the prospect of Islamists in power, assiduously cultivated by Algeria and Tunisia, the regimes were not only permitted to revert to their authoritarian ways, they were also paid for it.”²⁶⁹ Some secular factions, including political parties and civil society organisations during this time, supported and collaborated with the Ben Ali regime in its repression of the Islamists because of their own fear of Islamism.²⁷⁰ Consequently, these organisations began to distance themselves from Islamist organisations. As Islamist organisations de facto could not legally acquire the “associational visa,” organisations perceived as Islamist could not establish, even at a minimum, social welfare organisations in their communities. This ultimately had a direct impact on the nature of Tunisian society that would emerge during this period. Consequently, over time, civil society in Tunisia comprised mainly secular organisations operating in an almost entirely uncontested field. John Entelis writes, “Sadly, many of the country’s leading intellectuals, journalists and writers have collaborated in the governmental effort (actively or by their silence) despite the severe limitations this has had on basic civil and human rights including the freedom of expression.”²⁷¹

Beatrice Hibou, for example, quantifies the ubiquity of not only the police security apparatus but also the omnipresence of the significant number of RCD party members and cells across Tunisia during the Ben Ali regime. She argues that after the police, the RCD cells were the most systematic means of surveillance—citing 7,500 local cells and 2,200

²⁶⁸ Entelis, “Political Islam in the Maghreb,” 47.

²⁶⁹ Waltz, “The Politics of Human Rights,” 138.

²⁷⁰ Joffe, “The Arab Spring in North Africa,” 519 and Willis, *Politics and Power*, 177.

²⁷¹ Entelis, “Political Islam in the Maghreb,” 49.

professional cells with over 2 million members for Tunisia's 10 million inhabitants.²⁷² She states that many civil society associations effectively facilitated the government's ability to "keep the country under surveillance" because they were heavily influenced by RCD.²⁷³ She contends, "Matters are more complex when it comes to the very dense network of thousands of small associations of which hardly anything is known and whose creation was suggested or fostered by political circumstances....The RCD has played a fundamental role in their creation or the way they have been subjected to surveillance."²⁷⁴ Hibou notes that a number of associations existed functionally to "discipline the population" by propagating the ideas, goals, preoccupations, priorities, and moreover fears of the government.²⁷⁵ Inevitably demarcating and excluding the opposition became part of their designated responsibilities.

Despite encouraging signs that the "revolution" in 1987 would bring increased liberalism, freedom and tolerance, the residue of personalist authoritarian rule did indeed resurface in Tunisia. Earlier efforts to foster the impression of broadening liberal democratic reforms—such as the lifting of restrictions on the media, in legal reforms, and the changes to the laws of association—did not actually lead to a more politically active society. With increasing crackdowns on the margins of space permitted for dissent, the Tunisian populace endured an oppressive regime in part for economic and national security. In the next section the simultaneous process of expanding and contracting the symbolic and physical public spaces for civil society is further described under Ben Ali. It reveals in greater detail a regime that went to great lengths to stifle emerging counter-publics while often giving the outward appearance of fostering and nurturing spaces for these different groups and actors.

2. The consolidation of civil society

The Ben Ali regime understood fully the efficacy and usefulness of adopting liberalisation policies as this permitted the facade of government legitimacy domestically and

²⁷² Hibou, *The Force of Obedience*, 87.

²⁷³ Ibid., 93.

²⁷⁴ Ibid., 95.

²⁷⁵ Ibid., 97.

internationally while allowing further control over perceived opposition. In particular, Ben Ali grasped the benefits of embracing discourses on human rights and in lifting restrictions on civil society, namely the formal laws of association. Tunisia was the first country in North Africa to apply a human rights discourse and it is even argued that the regime's legitimacy was intrinsically linked to his adoption of the human rights platform.²⁷⁶ Waltz details that despite the arrest and detention of thousands of Islamists since the early 1990s, "Ben Ali was openly commended for introducing reforms by Tunisia's western partners, and France went so far as to award him a prestigious human rights prize."²⁷⁷ These idiosyncrasies also manifested in the manner in which reforms were implemented in relation to civil society. Throughout the Ben Ali regime amendments were made to the laws of association formerly implemented under Bourguiba in 1959. These amendments simultaneously permitted expansions for some civil society organisations while strictly contracting room to manoeuvre for others. For example, the law of 7 November 1959 on associations was amended in 1992 to establish a system of classification for the associations and again in 1998 to establish the procedures for the "declaration" of associations.²⁷⁸ However, while the laws of association in Tunisia were being gradually loosened by the regime, human rights violations continued with Tunisia's prisons being more populated in 1991–1992 than during any period throughout colonial rule.²⁷⁹ Furthermore, new freedoms in the media, such as the restoration in 1987 of an independent press, overshadowed the removal of religious literature in broader media. Eventually the political *Al-Mawkaaf* (published by the *Rassemblement Socialiste Progressiste* (RSP))²⁸⁰ and weekly independent journal *Realités* also had their copies temporarily removed.²⁸¹ Waltz argues, "In the Ben Ali era, toleration in widely publicised cases of press and associational freedoms is in some measures offset by less well publicised but no less significant instances where the new freedoms have been abridged."²⁸² The following section describes the changes to the laws of association made

²⁷⁶ Waltz, "The Politics of Human Rights in the Maghreb," 85–88.

²⁷⁷ Ibid., 86–87.

²⁷⁸ Euro-Mediterranean Human Rights Network, "Freedom of Association," 83 and "La Loi des Associations" Lo. 59-154, 7 Nov. 1959, (Journal Officiel de la République Tunisienne (JORT) n° 63 du 22 décembre 1959 page 1534). See: www.cnudst.rnrt.tn/index26e1.html?jort_fr.

²⁷⁹ Henry, "Post-Colonial Dialectics of Civil Society," 21.

²⁸⁰ The RSP was a political opposition party legalised officially in 1988, and which subsequently boycotted the 1989 Tunisian elections during which Ben Ali is reported to have acquired 99 percent of the vote.

²⁸¹ Waltz, "Clientelism and Reform in Ben Ali's Tunisia," 38–39.

²⁸² Ibid., 38.

during the Ben Ali regime to underscore how these organisations were undermined and simultaneously brought under further control by the government. It then reflects the corresponding modes of surveillance and repression applied by the state against civil society organisations, such as the human rights and organisations working with marginalised populations, when unacceptable forms of civic association or political opposition were perceived.

The law and life of the associations

It is important to note that while although Islamist movements and organisations were a primary target of repression throughout the two decades prior to the downfall of the Ben Ali regime in 2011, a number of secular civil society organisations also encountered the brunt force of the regime's repressive tactics against perceived political opposition. Some civil society organisations during this period, rather than serving as a means to consolidate democracy through the density of social capital growing in Tunisia, were being instrumentalised by the government to further embed authoritarian practices. The regime eventually used the laws of association, as well as the civil society organisations themselves, to bring a host of actors and groups under greater governmental control and to undermine their ability to function effectively. Clement Henry explains that for countries in North Africa, civil society and its relegated associations are not entirely distinct from the state. He writes:

Informal as well as formal intermediaries are shaped by laws, regulations, and...by historical legacies of conflict and cooperation with authorities. It is the modern state, after all, that encourages or discourages intermediaries from becoming formal associations, makes them legal or illegal, and gives them public space or drives them underground.²⁸³

In 2007, there were 9,132 civil society organisations officially registered in Tunisia, with an estimated 9,600 registered organisations at the end of 2010.²⁸⁴ The majority of these civil society organisations were classed as artistic and cultural (6,005), sports (1,281), scientific (495) or social (579).²⁸⁵ Among the thousands of civil society organisations established

²⁸³ Henry, "Post-Colonial Dialects of Civil Society," 12–13.

²⁸⁴ Euro-Mediterranean Human Rights Network, "Freedom of Association," 83 and Le centre d'information, de formation, d'études et de documentation sur les associations IFEDA : www.ifeda.org.tn.

²⁸⁵ Majoub, "La Gouvernance Environnementale Démocratique," 8, citing the 2011 IFEDA statistics (based on 2010 data). See also: www.ifeda.org.tn/francais/statistiques.php.

during this period, very few engaged in humanitarian development or the promotion of women's rights or broader human rights. The civil society actors and groups at the time were characterised as timid, and were understood only to play a symbolic role to participate in public events and occasionally provide social/support services to certain groups of the population.²⁸⁶ The laws of association throughout the Ben Ali regime were notoriously constrained. The procedure to legalise an organisation was cumbersome and, for many, simply registering an organisation brought uncertain risk.

In August 1988 and April 1992, Ben Ali amended the law of 7 November 1959 that legally governed the formation and existence of civil society organisations in Tunisia.²⁸⁷ After these changes there were eight "associational" categories from which an organisation must choose when submitting a written request for official "associational status" to the Ministry of Interior, they were: women, sport, science, cultural and artistic, social, development, friendly/social (*amicales*), and general.²⁸⁸ The categories appear broad however their actual application significantly limited the disparate kinds of organisations eligible to apply as the law prohibited organisations of a political nature. The changes to the laws of association during the Ben Ali era (in 1988 and 1992) also detailed that the Ministry of Interior was required to *consider* applications by political parties and organisations within three months of receiving an application.²⁸⁹ Once the Ministry of Interior approved a request, the organisation could acquire its legal status. There was however no legal time limit to issue a receipt of declaration from the Ministry of Interior, and some civil society organisations would argue that "officials take advantage of that void to disrupt the process."²⁹⁰ This measure could consequently prevent the required and formal notice in the *Journal officiel de la République Tunisienne (JORT)* and hence the legal formation of an organisation.²⁹¹ The result was that a number of civil society organisations were then forced to operate outside the law as they were "unrecognised associations" by the government; this left the

²⁸⁶ Majoub, "La Gouvernance Environnementale Démocratique," 2.

²⁸⁷ Euro-Mediterranean Human Rights Network, "Freedom of Association," 83.

²⁸⁸ See *Journal Officiel de la République Tunisienne* : www.cnudst.rnrt.tn/index26e1.html?jort_fr.

²⁸⁹ Bouandel, "Human Rights in the Maghreb," 130 and 135.

²⁹⁰ Euro-Mediterranean Human Rights Network, "Freedom of Association," 84.

²⁹¹ The association could not begin to operate before the three-month period or before the publication of notice (of organisational establishment) in the JORT.

organisations in a challenging situation.²⁹² The civil society organisations that remained officially unregistered also had limited access to the populations they sought to support.²⁹³ The ministry could also refuse the application simply on the grounds of “contrary to the law” without providing any further details. Moreover, the ministry could legally request the court to dissolve an organisation whose activities were perceived to contravene the laws of association. In practice the ministry routinely closed associational premises and prevented members from meeting without having to seek permission from the courts. For example, the ministry closed 11 regional offices of the Tunisian Human Rights League (LTDH) from September 2005 without permission from the courts.²⁹⁴ In effect, Moncef Ouannes argues that during this period the North Africa regimes, including under Bourguiba and Ben Ali in Tunisia, were never far from their ultimate distrust with regard to the public space.²⁹⁵ These deliberate openings were never without stringent safeguards in place to ensure any autonomous action was contained.

The deployment of surveillance and the repression of civil society

Between 1990 and 1992 the government is reported to have “hailed in” and arrested more than 8,000 individuals following growing state crackdowns on perceived opposition.²⁹⁶ Alexander explains, “Most Tunisians tolerated the government’s repression. As the press never ceased to remind them, a vigorous economy that could generate new jobs depended on Tunisia’s ability to attract foreign investment.”²⁹⁷ Strategies of infiltration and duplication were increasingly applied by the government to further control or undermine civil society actors and groups that were kept under permanent surveillance. Laila Alhamad argues that a “repertoire of tactics” was perfected to “tie the hands of these organisations and prevent them from posing any important threat to the state.”²⁹⁸ In Tunisia, force or coercion was mobilised when an autonomous organisation became a threat, for example through the direct manipulation of the organisation’s elections or policy direction, or via the practice of government officials attending the organisation’s general assemblies. Bellin notes, “Consequently, the autonomy of associations in Tunisia is made strictly conditional upon

²⁹² Euro-Mediterranean Human Rights Network, “Freedom of Association,” 84.

²⁹³ Hibou, *The Force of Obedience*, 101.

²⁹⁴ Euro-Mediterranean Human Rights Network, “Freedom of Association,” 84–85.

²⁹⁵ Ouannes, *Le Phénomène Associatif*, 28.

²⁹⁶ Waltz, *Human Rights and Reform*, 72 in Alexander, “Back from the Democratic Brink,” 35.

²⁹⁷ Alexander, “Back from the Democratic Brink,” 35.

²⁹⁸ Alhamad, “Formal and Informal Venues of Engagement,” 38.

their dedication to serving the ‘national interest’, with the ‘national interest’ defined by the regime itself.”²⁹⁹ The civil society organisations perceived as threatening were also regularly subjected to harassment by the security apparatus, the judiciary and government officials.³⁰⁰ Measures to silence opposition once again took on increasingly severe forms as mechanisms for repression became further embedded in the power of the state and shadow state. Beatrice Hibou describes a political economy of domination in Tunisia “that mainly operates by means of the insertion of disciplinary and coercive techniques of power into the most everyday economic and social structures and practices.”³⁰¹ The regime routinely practiced surveillance and phone tapping, threats against family members, passport confiscation, and violence that included targeted assassinations.³⁰² Daily life in Tunisia was soon characterised by the populace’s reluctant tolerance of a “constant and intrusive police presence.”³⁰³ For example, the number of police reported under the Ben Ali regime was between 80,000 and 133,000 for approximately 10 million inhabitants. In Tunisia the ratio of police to citizens at the higher end was 1:112 whereas in France during a similar period (considered the most heavily policed state in Europe) the corresponding ratio was 1:265.³⁰⁴ Hibou effectively describes a Foucauldian “political anatomy of the detail” under Ben Ali to articulate an “inextricable interweaving between repression and social control” whereby the state could derive knowledge at the finest micro-level detail of its subjects.³⁰⁵ Of the descriptions of techniques of intimidation and manipulation applied by the regime, Hibou manages to capture the repression inflicted upon associations at any given time:

Officially or not, they can prevent or interrupt meetings, follow and harass militants, encircle meeting places, force their way into premises, attack militants physically, call the relevant people in for questioning in police stations or at the Ministry of Interior, organise tendentious and defamatory campaigns in the press, launch prosecutions and institute proceedings, and organise break-ins into professional and private offices.³⁰⁶

²⁹⁹ Bellin, “Civil Society in Formation: Tunisia,” 140–141.

³⁰⁰ Euro-Mediterranean Human Rights Network, “Freedom of Association,” 83.

³⁰¹ Hibou, *The Force of Obedience*, xiv.

³⁰² Alexander, “Back from the Democratic Brink,” 36.

³⁰³ Hibou, *The Force of Obedience*, 81.

³⁰⁴ Ibid.

³⁰⁵ Ibid., 8–9.

³⁰⁶ Ibid., 98.

The more extreme examples of government distrust and repression of civil society organisations in Tunisia were, for example, applied against the General Labour Union of Tunisia (UGTT)—its leadership structure was eventually penetrated and taken over by the government³⁰⁷—and against the Tunisian Human Rights League (LTDH), for which the 1992 law of association was amended in order to circumvent its perceived oppositional role.³⁰⁸ However, from the moment of their initial establishment, many organisations experienced disparate forms and levels of harassment, intimidation, and infiltration.

There were approximately ten “rebel associations” that routinely experienced the blunt force of the “political anatomy of the detail” under Ben Ali, including organisations focusing on women’s rights and human rights more broadly.³⁰⁹ Nine interviewees for the research for this thesis were involved during this period in either human rights groups or other civil society organisations or collective activism. All confirmed and described to varying degree the disparate tactics the government applied through its “political anatomy of the detail” on civil society (these interviewees do not include the experiences of the HIV/AIDS associations which are further described in the next section).³¹⁰ One interviewee for the research, Naeema, began her career in journalism and eventually came to work with one of the women’s rights organisations in Tunis. She described how her membership in various human rights organisations came at a high cost both at the professional and the personal level. The government eventually confiscated her right to work in journalism and, subsequently, she could not find employment. She explained that she was denied work because she was a member of Amnesty International, which she said under Ben Ali was one of “the worst things you could do” as this was viewed negatively and with suspicion, even though she felt the organisation did not engage in any activities that appeared in direct opposition to the government.³¹¹

³⁰⁷ Under Ben Ali, the president appointed UGTT’s secretary-general and often directly appointed members of the executive committee. See Cavallo, “Trade Unions in Tunisia,” 239–266.

³⁰⁸ The April 1992 law, allowing for greater political supervision, specifies that an association “cannot refuse membership to any person who is committed in his principles and his decisions.” Hibou, *The Force of Obedience*, 98–99. See also Euro-Mediterranean Human Rights Network, “Freedom of Association,” 84–85 and Waltz, “The Politics of Human Rights in the Maghreb,” 75–92.

³⁰⁹ Hibou, *The Force of Obedience*, 98.

³¹⁰ Informant numbers: 36, 37, 38, 40, 41, 42, 43, 51 and 53.

³¹¹ Informant 40: Director, women’s rights association; Tunis, 12 Mar. 2012.

Several years later she was eventually able to acquire a position at the Tunisian Association of Democratic Women (ATFD) but, she explained that in most places “you do not get a job you apply for because you are not qualified or do not have the right skills set, under Ben Ali it was because of your activities and the groups you were seen to be affiliated with.”³¹² The police followed Naeema and even followed her family. I asked her whether she acknowledged this sense of personal risk to herself during the time when she was followed and harassed by the government. She replied, “No, I continued my activism because it was the only way for me to breathe....I felt asphyxiated.”³¹³ She described what it was like when she was eventually able to work for the prominent women’s rights organisation, noting that the organisation’s phones were tapped, staff and members were prevented by the police from leaving the organisation’s headquarters on several occasions, and members were followed and watched routinely. For example, the organisation opened a young people’s centre that was soon closed and boarded up by the police for six months. Naeema explained:

Before the revolution the Ben Ali regime did everything it could to prevent groups of people from coming together in intimate spaces....There were no spaces for young people or adults to come together as the regime tried to distance people from one another....It was very difficult for the young people when this space was closed as it affected the solidarity they had formed together.³¹⁴

In addition, if the organisation wanted to hold external meetings or conferences or plan a seminar in a hotel, they always developed a “Plan B” in case the police tried to block them by forcing the hotel to cancel the reservation at last minute. She explained that at the time “no one even knew about the work of our organisation because we suffered extreme risks when we tried to do anything publicly, such as working in the different sections outside of Tunis.”³¹⁵

When speaking about the space for civil society organisations to operate during the Ben Ali regime, it was not uncommon for interviewees to pinpoint the degree of knowledge the government and security apparatus could ascertain on the organisation or the individual.

³¹² Informant 40: Director, women’s rights association; Tunis, 12 Mar. 2012.

³¹³ Informant 40: Director, women’s rights association; Tunis, 12 Mar. 2012.

³¹⁴ Informant 40: Director, women’s rights association; Tunis, 12 Mar. 2012.

³¹⁵ Informant 40: Director, women’s rights association; Tunis, 12 Mar. 2012.

For example, Wail, an interviewee for the research who worked with an international human rights organisation in Tunis, said, “The police of the regime knew even the smallest detail on the individual”—details on who your friends and family were, your conversations, all at the micro-level.³¹⁶ The different informants remarked how this form of intimidation by the regime could reach down to a very personal level. The experience of another informant for the research, Naila, a woman who worked within the main headquarters of a women’s rights organisation that operated during both the Bourguiba and Ben Ali regimes, also underscored the ability of the surveillance apparatus to infiltrate the micro-level. She described the incredible propensity among the population for “auto-censure” and how potent this was on the minds of the women they tried to work with. Naila stressed how the Ben Ali regime managed to penetrate the minds of the individual and that these techniques were remarkably effective. “*Ben Ali était partout et dans les têtes des gens*”—Ben Ali was everywhere and in the minds of the people.³¹⁷

She spoke of a later time when the police actually physically prevented her and her colleagues from leaving their offices to attend a demonstration and then closed their offices for several months. Moreover, Dr Faiqa, one of the interviewees for the research, who established her own association to advocate for a freer and more transparent media after the uprising, explained that before the revolution there were so few civil society organisations that even if they wanted to act they could not. She said their phones were always tapped and that, most importantly, it was done in a way to ensure *you knew* they were tapped, to annoy but also to scare you. Dr Faiqa remarked during the interview, “It was done in a way which was so flagrant, it was meant to terrorise you.”³¹⁸ It was not uncommon during the interviews with the disparate organisations, in particular the human rights organisations, for individuals to express “*on a beaucoup souffert*” or “*ça nous a coûté cher*”—we suffered considerably, these activities cost us dearly.

Despite the risks several civil society organisations faced on a routine basis, some actors and groups continued their activities in spaces where a perimeter to manoeuvre could be

³¹⁶ Informant 41: Secretary general, human rights association; Tunis, 13 Mar. 2012.

³¹⁷ Informant 42: Founder and secretary, women’s rights association; Tunis, 16 Mar. 2012.

³¹⁸ Informant 51: Co-founder, association to support a free media; Tunis, 2 Apr. 2012.

detected. In a research interview with Soraya, a young woman working with an organisation that acquired its legal “associational visa” just after the revolution in 2011, she said, “Before the revolution we did not have the desire or the need (to establish an association) because we did not feel like we were citizens. Before this we were mainly a circle of close friends who had the spirit to help others...so even before...we did this in an unorganised way.”³¹⁹ Prior to the Tunisia uprising, this group of individuals collectively engaged in small activities to help women affected by domestic violence in Kef, one of the more deprived areas of Tunisia, through a group of friends coming together intermittently. This is one example of how regardless of the risk of repression and despite not being able to establish a legal formalised organisation, citizens would resort to informal networks to engage in their communities. George Joffe contends that although the state was able to maintain ultimate control over “this partially liberalised social space,” autonomous groups and organisations that were not directly controlled by the state were able to emerge. These organisations addressed primarily social concerns and at times took on more political activities.³²⁰

Moreover, political participation exists in every political system regardless of regime type.³²¹ This participation can take the form of informal or formal organisations engaging in human rights, advocacy, or social welfare support. Individuals often explicitly acknowledge the risks involved in engaging in a civil society organisation, in particular if the regime is authoritarian and the nature of their work is perceived as “political.” However, an indeterminate component deep within the inner resolve of the individual also accepts these risks in exchange for the ability to engage in autonomous social action. Alhamad stipulates, “When the state, through its formal institutions, represses, excludes, or fails to listen or respond to people’s needs, people resort to the informal realm.”³²² The next section demonstrates that even for legalised and formal civil society organisations, by accepting and internalising these risks, some groups and actors were able to choose from an amalgamation of tactics to advance their sociopolitical agendas. This was made possible through the application of negotiation, discretion, and conservative advocacy towards and among both state and non-state entities.

³¹⁹ Informant 47: Programme coordinator, women’s rights association; Tunis, 22 Mar. 2012.

³²⁰ Joffe, “The Arab Spring in North Africa,” 514.

³²¹ Albrecht, “The Nature of Political Participation,” 15.

³²² Citing Lust-Okar, “Taking political participation seriously,” 8.

3. Manipulating the rules of the game: moving through an authoritarian regime

Discourses on civil society often attempt to delineate conceptually and empirically between the state and society, the formal and informal realms, and between what is political and apolitical. In fact, by looking specifically to civil society groups and actors in Tunisia prior to the 2010–2011 uprising it is possible to observe that many of these actors habitually drifted through and among these different domains via regular interaction with state and non-state entities. Furthermore, civil society actors also simultaneously engaged in activities that were formal (i.e., accepted under the eyes of the regime) and informal interventions, such as those that had to be kept under the radar to reach more vulnerable groups. Moreover, it can be argued that by choosing to work with marginalised communities and engaging in a formal or legalised civil society organisation, these actors inherently chose to act on political ground and were, in effect, political actors.

The following section describes in more detail two sets of organisations, the rights-based organisations such as women's rights and the broader human rights organisations that operated during the Ben Ali regime, and the HIV/AIDS-related organisations engaging in both service provision and advocacy that were established soon after Ben Ali took office in 1987. This section examines in particular the different strategies both these sets of actors and organisations adopted to manoeuvre tactically under and through an authoritarian regime. This involved a range of strategies including negotiation, discretion, invisibility, hyper-visibility, and targeted advocacy to signal and address key issues for these actors. The HIV/AIDS organisations, in particular, were able to shed light on the disparate tactics organisations working with marginalised, and often extremely vulnerable groups, would employ. Finally, it is important to emphasise that these two sets of organisations encountered disparate experiences with the government—some were intensely repressed and ostracised while others, comfortably ignored by the state, faced their main challenges at the sociocultural level rather than from the heaviness of the state security apparatus.

Rights-based organisations: confronting a dictator

There were only a handful of organisations that worked overtly in rights-based programming in Tunisia during the Ben Ali regime. These organisations deliberately chose to operate despite heavy crackdowns by the security apparatus. They included (but were not

limited to) the Tunisian Association of Democratic Women (ATFD), the Tunisian League of Human Rights (LTDH), and Amnesty International. Much has been written on these organisations in the sociopolitical literature on Tunisia, so here the purpose is to reiterate the degree of repression these groups experienced and to determine how they manoeuvred through an authoritarian regime. For the research I interviewed four individuals working specifically with human rights organisations during the Ben Ali presidency;³²³ in addition, I interviewed five additional participants who either explicitly chose not to establish an association during this period or who worked with non-human rights related organisations but who also experienced harassment by the regime.³²⁴ For example, for the research I interviewed Najeeb, an individual who worked with a bilateral development agency in Tunis. He said that before the revolution in 2010–2011 he had always been involved in volunteer activities but had consistently refused to work with others under the umbrella of a civil society organisation. He admitted that he was discouraged by the organisations that formed under the RCD party, which he said “controlled these associations to such a degree that they became extensions of the party itself.”³²⁵ Najeeb explained during the interview:

Very few associations were able to resist this control and those which did resist (ATFD and LTDH) suffered....They were able to resist in the long run but their work was rendered very difficult. The space for associative action was very constrained and the government even had the habit of imposing members onto the association, obliging the association on political occasions to sign something showing publicly their support of the government. And financially these resources were very controlled and virtually non-existent...you were either with the system or against it.³²⁶

The Tunisian Association of Democratic Women (ATFD), for example, began as an informal club to promote female autonomy where women came together each Saturday to speak about issues related to women through the creation of a space for reflection and discussion. As the meetings grew (to over 80 women attending each week), the principal founders of the club began to consider a strategy to allow women to participate more fully in public life. Naila, one of the primary members of the association, observed during the interview that at

³²³ Informant numbers 37, 40, 41 and 42.

³²⁴ Informant numbers 36, 38, 43, 51 and 53.

³²⁵ Informant 38: Senior expert on environment, bilateral and associational member; Tunis, 6 Mar. 2012 and Mar. 2013.

³²⁶ Informant 38: Senior expert on environment, bilateral and associational member; Tunis, 6 Mar. 2012 and Mar. 2013.

the time there were two discourses—the “formal feminine discourse,” which was the feminist discourse under Bourguiba on the CPS, and the “informal feminine discourse,” which was much larger and even called into question the CPS. Naila remarked during the research interview, “We called everything into question and most importantly this question of power....From the beginning the role and the rights of women and the issue of democracy were always intrinsically linked—how can you effectively have a democracy without half the population?”³²⁷ Soon after Ben Ali came to power in 1987, the “7th November Declaration” did not refer to women specifically so ATFD produced its own declaration on the issue. This also coincided with ATFD’s first visible activities on solidarity with Palestine after the Israeli attack on the Palestinian Liberation Organisation (PLO) base in Lebanon in 1987. Naila noted, “We were working internationally on issues of liberation and solidarity with the women engaged on this.”³²⁸ It was after these decisions and efforts to increase their own visibility that the group of women decided to formalise their association in 1989.

After acquiring legal associational status, the organisation worked increasingly on issues central to women (rights, education, and health) through national, regional, and international entities. A key moment for ATFD came when in 1989 a young girl came to the association accompanied by her mother explaining she had been raped by 12 men. This was the first time the association encountered the issue of violence against women to this degree and so from this time they began a national campaign on the question of domestic violence in Tunisia. During this period they received such a high number of calls from women on the issue they had to recruit volunteers to answer the telephones in the office. The campaign posters depicting violence against women soon created controversy at the Ministry of Interior, which subsequently ordered the removal of the posters in Tunis. Nevertheless the real challenge and confrontation with the government came in 1992 during the growing attacks by the Ben Ali regime against the Tunisian League of Human Rights (LTDH)—in response to which, as aforementioned, the laws of association were explicitly amended in order to infiltrate the group’s membership. One of the roles of ATFD soon became the larger defence of associations and civil society in Tunisia under Ben Ali.

³²⁷ Informant 42: Founder and secretary, women’s rights association; Tunis, 16 Mar. 2012.

³²⁸ Informant 42: Founder and secretary, women’s rights association; Tunis, 16 Mar. 2012.

Naila remarked further, “We took on the issues of civil society at the time and this was not easy as even internally this was a huge debate in terms of how political our association would be.”³²⁹

ATFD soon experienced the gamut of surveillance and intimidation mechanisms applied by the government. Branches of ATFD opening outside of Tunis stopped their work as staff members were harassed and intimidated by the police. Naila said during the interview, “Everything was done on their part (the government) to discourage and they managed to do this at a very ‘personal level’ even at the level of the family.”³³⁰ After this time, when the association tried to hold larger meetings its staff, members, and participants were often stopped (physically) by the government and the police. Two members of ATFD recalled a period when they and other associational actors came together to monitor the presidential elections in 2009. Each said that within only a week, police came to the organisation, closed the centre, and prevented them from working. Consequently their funding was blocked.³³¹ During the research interview with Naila, I asked how the association eventually was able to operate during the Ben Ali regime and how she and her colleagues managed to work more than two decades in Tunisia in such a restrictive environment. She remarked:

When we have solidarity and are unified and clear on our aims (internally) we can make these gains. It is because of our strong unification internally that we were able to do this with strong organisational leadership. We showed that the rights of women are also political—the private sphere is indeed public....It is our association’s perseverance on these issues that have allowed us to work more than 20 years under a dictator....Everything we did was legal and we survived by sticking to what is legal.³³²

The experience of another informant, Wail, who worked with a smaller human rights organisation (and who eventually went on to work with a larger international human rights organisation in Tunis) before 2011, also highlighted the Ben Ali regime’s predisposition towards the repression of civil society organisations working in human rights related initiatives. Before 2009, the government imprisoned him three times due to his “political

³²⁹ Informant 42: Founder and secretary, women’s rights association; Tunis, 16 Mar. 2012.

³³⁰ Informant 42: Founder and secretary, women’s rights association; Tunis, 16 Mar. 2012.

³³¹ Informant 40: Director, women’s rights association; Tunis, 12 Mar. 2012 and Informant 42: Founder and secretary, women’s rights association; Tunis, 16 Mar. 2012.

³³² Informant 42: Founder and secretary, women’s rights association; Tunis, 16 Mar. 2012.

activities” (which he did not venture to discuss). Wail explained that he was imprisoned a fourth time in 2009 for acts he considered apolitical involving over 150 recordings and the documentation of human rights abuses committed by the regime.³³³ The documentary he orchestrated featured poor living conditions in Nabeul (a small town approximately 60 km [40 miles] from Tunis) with exceptionally high pollution levels, a situation pointing to failures in the regime’s urban development projects; he was imprisoned for four months. Wail contended that the associations working in human rights always had problems and remained in conflict with the state. Many of these associations were assumed to have other political agendas, as *“L’opposition politique dans les habits des droits de l’homme”*—political opposition dressed in the clothing of human rights. He noted during the interview for the research, “All of the civil society organisations were held in suspicion for this reason.”³³⁴

ATFD and other actors engaging in human rights advocacy openly challenged the government but also had a strong constituency base, as well as a support structure of regional and international networks they could work through. From the research interviews with the members of the different rights associations, it became clear that they fluctuated over the years between strategies of visibility and hyper-visibility corresponding to perceived openings such as national-level anger over violence against women (ATFD), the Israel–Palestine conflict, the attack on LTDH, and the national elections. In effect, these organisations understood early on the “rules of the game” enforced by the regime, but also pushed these boundaries when they were cognisant they were working within a larger support structure, either in solidarity with other national associations or with regional and international advocacy bodies. Rather than strategies of negotiation or discretion, these actors at times operated on the side of hyper-visibility openly challenging the government to respond.

The materialisation of the HIV/AIDS organisations

When I first encountered these organisations and consequently began to more fully understand the nature and context in which they worked in Tunisia, I frequently came away with an underlying question: how is it that these organisations, whose work is undoubtedly

³³³ Informant 41: Secretary general, human rights association; Tunis, 13 Mar. 2012.

³³⁴ Informant 41: Secretary general, human rights association; Tunis, 13 Mar. 2012.

controversial (at the political and social level) and stigmatised by governments as well as communities, were permitted to work in heavy authoritarian contexts? Was there a form of pact between these organisations and the government, or did they conceal the actual nature of their activities with vulnerable groups? It is in part to answer these questions that I undertook this research among these actors. For the research, I interviewed 27 participants who either had engaged directly or indirectly with work related to Tunisia's HIV/AIDS epidemic; this includes organisational staff members, outreach workers, people living with HIV, regional and international donors and policy advisers, HIV/AIDS-specific consultants, and government spokespersons.³³⁵ Prior to 2011, there were a handful of organisations working throughout Tunisia with people living with and affected by HIV/AIDS. This work began officially in 1987 when the National AIDS Programme (NAP) was created and a few small bio-behavioural studies were conducted.³³⁶ The Ben Ali government and the Ministry of Health routinely reported (nationally and internationally) that the country was experiencing "low epidemics" among key populations at higher risk of HIV exposure, with HIV prevalence only "approaching" a concentrated epidemic among some groups.³³⁷ This was against mounting evidence that Tunisia's key populations were in fact experiencing concentrated epidemics in some areas at or above 5 percent.³³⁸ Despite lack of official acknowledgement of the actual scale of the HIV/AIDS epidemic in the country, the HIV/AIDS organisations were able to carry out prevention and education work mainly targeted to the general population. From 1985 to December 2011, there were 1,706 officially registered cases of HIV in both adults and children in Tunisia. Of the 1,706 registered cases, 982 individuals acquired AIDS and 540 died during that period.³³⁹ Although HIV prevalence was less than 0.1 percent of the population in Tunisia, there were concentrated epidemics among Tunisia's key populations. For example, bio-behavioural surveys conducted in 2009 and again in 2011 indicated 0.43 and 0.61 percent prevalence, respectively, in sex workers,

³³⁵ Informant numbers: 5, 11, 16–26, 28, 30, 31, 32, 36, 39, 45, 46, 48, 52, and 54–57; and while not all of these participants' words are reflected in this section, the reports and data they shared are presented throughout the text.

³³⁶ Le Programme National de Lutte Contre le Sida et les Maladies Sexuellement Transmissibles, 8.

³³⁷ The term "key populations" or "key populations at higher risk of HIV exposure" refers to those most likely to be exposed to HIV or to transmit HIV. In all countries, key populations include people living with HIV. In most settings, men who have sex with men, transgender persons, people who inject drugs, sex workers and their clients, and seronegative partners in serodiscordant couples are at higher risk of HIV exposure to HIV than other people. See: UNAIDS, *Terminology Guidelines*, 18.

³³⁸ Bastin, "La Révolution Militante," 11.

³³⁹ Le Programme National de Lutte Contre le Sida et les Maladies Sexuellement Transmissibles, 38.

3.1 and 2.4 percent in people who inject drugs, and 4.9 and 13 percent among men who have sex with men (MSM).³⁴⁰

From the mid-1990s there emerged three “HIV-thematic”³⁴¹ organisations working specifically in the domain of HIV/AIDS with a formal “associational visa” to do this work. They were *L’Association Tunisienne de Lutte Contre les Maladies Sexuellement Transmissible et le SIDA* (ATL MST /SIDA), created in 1990 ; *l’Association Tunisienne d’Information et d’Orientation sur le SIDA* (ATIOS), established in 1993 ; and *l’Association Tunisienne de la Prévention de la Toxicomanie* (ATUPRET), launched in 1995. The three organisations were initially established under the associational category of “scientific” (and so linked to the Ministry of Health) and led by medical doctors. At the time the organisations were established there was a weak tradition of local and private sector funding in Tunisia, and while the government gave some financial support in the form of unrestricted grants, the funding for this work was minimal. During this period there was also considerable scrutiny of international donors and contributions to NGOs whereby all funding had to be directly channelled through the government before dispersal to the association. Dr Zied, a former employee of ATL Tunis, discussed the situation during the research interview:

To receive funding in the past one had to show support to the government and this actually penalised a lot of organisations. This was the key reason for the main division between ATL in Tunis and ATL in Sfax. The president [Ben Ali] at the time wanted support from ATL and each had to show this support through a published article in the newspaper. ATL Tunis did not accept this and internally this created a division between the organisations.³⁴²

There were also increasing instances during this period of intentional co-opting of organisations by the government, infiltration of the association by government staff posing as volunteers, and significant levels of harassment by the government and corruption. However, the HIV-thematic organisations were allowed to continue with their work virtually uninterrupted during the Ben Ali regime within Tunis and throughout various sections

³⁴⁰ Ibid., 8.

³⁴¹ “HIV thematic” organisations refers to those organisations whose exclusive remit is to work in HIV/AIDS as opposed to some organisations such as the Red Cross or National Scouts who engage in a range of activities, with intermittent HIV/AIDS awareness-raising interventions.

³⁴² Informant 19: Associate director, HIV/AIDS and health international NGO; telephone interview, 20 Dec. 2011.

across Tunisia (Sfax, Nabeul, Sousse, etc.). This was due in part to the technocratic staff within the Ministry of Health and the National AIDS Programme who saw the need for this work, and because this work was perceived as apolitical, and so therefore was understood to pose minimal threat to the government. Most of the work of the three organisations fell under the rubric of “prevention and public health” as this was the only *porte d’entrée* to be able to work legally in HIV/AIDS in Tunisia. So in effect, the state sought to control and thereby limit sanctioned elements of the HIV/AIDS interventions, but also relied on these organisations to reach communities with key populations at risk of (spreading) infection.

Working in HIV/AIDS: discretion and negotiation

In 2006, the three organisations extended their scope beyond awareness-raising campaigns among the general population to work with more marginalised groups known as “key populations,” specifically men who have sex with men, sex workers, and people who inject drugs. This adaptation in the organisations’ programmatic target groups also corresponded simultaneously with the receipt of a sizeable grant (over US\$17 million) from the international donor the Global Fund to Fight AIDS, Tuberculosis and Malaria (at the time a UN initiative created by the former Secretary General Kofi Annan) to further engage in interventions with key populations and sexual minorities in 2007.³⁴³ It is within this work in particular that the organisations began to adopt more covert strategies in their outreach work and where there was a distinct evolution in the strategies for reaching these groups from negotiation and coordination to discretion. Nevertheless, it is also in part as a result of this new and sizeable funding that the organisations began to interact more regularly with state entities. Kareem, a former staff member and consultant for ATL, said in the research interview that the additional resources from the Global Fund permitted the organisations to maintain offices, acquire vehicles, pay salaries to their staff, and in general brought a degree of “professionalism” to these organisations. At this stage he explained that the government was always engaged with a certain level of good will towards the work they were doing. He said, “The Ministry of Health and even the military were engaged and respected the work of the associations at this time.”³⁴⁴

³⁴³ For more information and grant agreement details see:

<http://portfolio.theglobalfund.org/en/Grant/Index/TUN-607-G01-H>.

³⁴⁴ Informant 28: Project coordinator, multilateral development organisation; Tunis, 1 Feb. 2012.

The government sanctioned this work albeit within limits—it would not fund this work itself, and it did not want to appear to be endorsing this work in any way. Kareem noted further, “There were never any blockages in trying to do this work, and the government was always aware of what we were doing. There was always a certain *laissez aller* by the government in terms of their approach to these associations, but the associations worked with discretion and discreetly.”³⁴⁵ The experience of another informant for the research, Walid, a human rights lawyer working in HIV/AIDS, also highlighted that the scientific and health nature of HIV/AIDS allowed the actual work of the organisations to proceed without much scrutiny by the state. He added that before 2011, the environment for civil society in Tunisia was very controlled. According to Walid:

ATL had a lot of courage as they were doing this work under the umbrella of HIV and the fight against AIDS. The government was naturally aware of the work they were doing but was okay with this work because it was not open and more importantly it was not the state institutions which financed this work. We were always working with the angle of HIV so this did not catch their attention.³⁴⁶

These civil society organisations implicitly adopted a strategy of discretion bordering on invisibility in their peer education and outreach work, as well as in the distribution of condoms and clean syringes to populations at risk of HIV/AIDS exposure. For example, in 2010, among the 188 sex workers working in *maisons closes* in Tunis, Sousse and Gabes, approximately 99 percent had at least one marker of a sexually transmitted infection (STI) with a current infection found in 86.7 per cent of cases.³⁴⁷ This signified that not only was this an incredibly high-risk group for acquiring HIV/AIDS but also the extent to which the greater population, in particular the clients of sex workers and their families, were at risk for spreading STIs and HIV. Two HIV/AIDS organisations worked with the women inside the *maisons closes* with the permission of the Tunisian government to provide free STI examinations and condoms; moreover, tests for HIV were administered intermittently when funding permitted. In addition to sex work that was legally sanctioned, staff members from the different HIV/AIDS organisations interviewed for the research reported that Tunisia was also home to a number of women who engaged in clandestine sex work. The 2012-2016 Tunisian National Strategic Plan for HIV and STIs reported that clandestine sex work was

³⁴⁵ Informant 28: Project coordinator, multilateral development organisation; Tunis, 1 Feb. 2012.

³⁴⁶ Informant 36: Founder and lawyer, human rights association; Tunis, 16 Feb. 2012.

³⁴⁷ Znazen, Frikha-Gargouri, and Berrajah, “Sexually transmitted infections,” 500-505.

increasing mainly due to the persistent exploitation of women and due to their own socio-economic vulnerability. In addition, the report provides a peculiar normative rationale citing “A certain sexual liberation and reduction of social control exercised on the part of the individual.”³⁴⁸ Prior to the 2010–2011 uprising, it was reported that clandestine sex workers were often paid more money and had more flexibility in choosing their clients and when they engaged in sex. However, they were also more exposed to physical violence as there was no *matronne* overseeing the exchange. The experience of one interviewee for the research, Moazzam, whose remit was to engage in peer education with clandestine sex workers, underscored the vital strategy of negotiation to reach the different women. He explained that he worked through counterparts in the community who would introduce him to different women who might be open to doing peer education work. He became well recognised by the women as someone who accompanied them to different centres for treatment or testing. He met the women in cafes and explained he himself had never felt a sense of personal risk in doing this work with the women but that often the women themselves were targeted by the police and arrested.³⁴⁹ It is important to note that there were very few, if any, reportable statistics on clandestine sex work in Tunisia so it was not possible during the research to determine just how widespread this issue was. Nevertheless, for the organisations that worked with sex workers, either within the *maisons closes* or with clandestine sex workers in different communities, whilst the state was aware of this work, they were obliged to adopt tactics of discretion, invisibility and where necessary, negotiation.³⁵⁰

Another example concerns the experiences of the HIV/AIDS organisations that chose to work with injecting drug user populations. Bio-behavioural HIV surveillance studies conducted among populations at higher risk of acquiring HIV in 2009 and 2011 indicated HIV prevalence among individuals who injected drugs of 3.1 and 2.4 percent respectively³⁵¹ During the Ben Ali regime, the trafficking of drugs was reported to have increased and

³⁴⁸ The French translation reads : “...d’une certaine libération sexuelle, de l’allègement du contrôle social exercé sur l’individu...” See Minister of Public Health and the National Program to Fight HIV, 22.

³⁴⁹ Informant 23: Outreach worker with sex workers, HIV/AIDS association and founder of *Damj*; Tunis, 24 Jan. 2012.

³⁵⁰ While Tunisia has also been associated with sex tourism among men and male sex work, the organisations interviewed for the research did not cite working with male sex workers or this phenomenon in Tunisia.

³⁵¹ Minister of Public Health and the National Program to Fight HIV, 10.

eventually injecting drug use became a significant issue in and outside of the main capital in Tunis. The main drugs were Subutex (a drug typically used for opioid addiction) and Temgesic (pain tablets), followed by heroin and cocaine.³⁵² From the year 2000, the civil society organisations in neighbouring Morocco began to increase work with people who inject drugs. Not long after, Morocco became the first country in the Middle East and North Africa to introduce “harm reduction” programs including methadone maintenance therapy and needle-syringe programs.³⁵³ The HIV/AIDS associations that worked in Tunisia at the time participated in a series of workshops and conferences on the issue of harm reduction in North Africa and in 2009 began advocacy work targeted to the government to introduce similar programs to those being implemented in Morocco.³⁵⁴ Drug use outside the capital however began to increase and eventually in 2007 the association ATUPRET received a grant from the Global Fund along with land from the Ministry of Agriculture to open Tunisia’s first in-patient drug rehabilitation centre in the town of Sfax (it remains the only centre of its kind in the country). Since its opening in 2007, the centre hosted more than one thousand individuals who were addicted to drugs (many of whom were injecting drug users).³⁵⁵ ATUPRET continued to work with drug users on the street through outreach work and HIV/AIDS-prevention messaging, however, because drug use was illegal in Tunisia some of the outreach workers were arrested and threatened by the police. The experience of one interviewee for the research, Fajr, a former staff member who conducted outreach work with people who inject drugs in Tunis, also underscored the challenges outreach workers that worked with key populations encountered. She remarked:

They (outreach workers) were distributing clean syringes and condoms with the approval of the government, but this does not necessarily mean the police knew about this or were well informed...the peer educators were confronted with this risk and were all along encouraged to do this work as discreetly as possible. We were

³⁵² Ibid., 22.

³⁵³ See: UNAIDS, “Morocco Launches New National AIDS Strategy,” 4 Apr. 2012.

³⁵⁴ “Harm reduction” is used to describe a range of interventions designed to decreased vulnerability of acquiring infection among people who inject drugs. Interventions include the provision of clean needles and syringes, condom distribution, substitution drug therapy, HIV/AIDS testing and STI diagnosis and treatment in affected communities. For additional information see: World Health Organisation (Europe), “Status Paper on Prisons, Drugs and Harm Reduction,” May 2005.

³⁵⁵ Informant 31: Programme manager and medical doctor, HIV/AIDS and harm reduction association; Sfax, 9 Feb. 2012.

doing something that was supported by the law and the government, but the police would challenge this especially with condoms.³⁵⁶

In addition, the Ministry of Interior considered drug abuse a “security” problem at the time. Therefore working in prevention and treatment with people who use drugs was deemed intrinsically a problematic issue for the police. One interviewee for the research, Dr Malik, who was the executive director of one of the HIV/AIDS associations in Tunisia, explained “So it was decided ATUPRET would do work in prevention only, and this was in fact the only way they could secure their associational visa at the time, and so as not to upset the minister.”³⁵⁷ As a result of their decision to work with key populations at higher risk for acquiring HIV, the HIV/AIDS organisations eventually also had to adopt a strategy of communicating more with the local police in Sfax and Tunis to be able to conduct their work. Consequently, in order to reach drug users, they had to simultaneously move the core distribution of clean syringes into the drug rehabilitation centre and away from the streets (in Sfax)—off the radar almost entirely. Finally, the experience of another informant for the research, Dr Tawfiq, who worked as a medical professional for ATUPRET, highlighted further the disregard by the government of increasing injecting drug use at the national level. He explained that “There has been in general significant denial at the national and political level of drug abuse in Tunisia up until now, with politicians saying there is no drug use in Tunisia.”³⁵⁸ Before 2011, there had never been a national government strategy to address drug use in Tunisia. Several of the HIV-specific interviewees confirmed that to work with key populations, the associations were in fact obligated to go *through* the issue of HIV to receive funding and government consent.

A primary and overarching challenge in carrying out work among key populations affected by HIV/AIDS for the organisations was that while the government was aware of this work, the police and security services were not. It is here where the organisations and outreach workers encountered the most risks and challenges in actually being able to conduct their work in higher risk communities. Often outreach workers were arrested, threatened with

³⁵⁶ Informant 32: Programme officer, democracy and civil society capacity building initiative; Tunis, 10 Feb. 2012.

³⁵⁷ Informant 18: Executive director, HIV/AIDS association; Tunis, 13 Jan. 2012 and 5 Mar. 2013.

³⁵⁸ Informant 31: Programme manager and medical doctor, HIV/AIDS and harm reduction association; Sfax, 9 Feb. 2012.

imprisonment, and harassed by local police officials. The level of personal risk they assumed in this work was high. Twelve of the interviewees for the research working in HIV/AIDS-related policy, advocacy, or outreach (including multilateral donors and former employees of the three associations) openly described the varying levels of risk for the organisations as well as occasions of the harassment and intimidation they encountered at the community level either by police or local government.³⁵⁹ One informant from the research, Amir, who had previously served as an HIV/AIDS outreach worker living in Tunis, said, “I have been attacked, and the police have chased after me on several occasions. And it’s not the people in these neighbourhoods who scare me, it’s mainly the police.”³⁶⁰ In particular, it was this element of clear and direct personal risk assumed by the volunteers and outreach workers in this work—with often uncertain consequences—that I sought to analyse further. Amir for example, like many of his peers, began working with ATL as a young volunteer not long after the association was established; he knew little at the time about HIV/AIDS. He soon transitioned to outreach work where he committed himself completely to working with marginalised communities *sur le terrain* (on the ground). He explained that he had been raised in a popular neighbourhood where he experienced this element of risk on a daily basis. But even then he admitted that he took this risk in his work, remarking, “*Pour les choses interdites, si on ne prend pas de risques, on n’avance pas*”—for that which is considered forbidden, if we do not take risks, we cannot make any progress.³⁶¹

For the three organisations there were two primary challenges. The first was the legal environment in which they operated—the majority of behaviours of key populations were legally penalised through existing national penal codes, such as bans on same-sex behaviour and sex work. The experience of an informant for the research, Nasser, who worked with men who have sex with men, highlighted the restrictive legal context in which the HIV/AIDS organisations worked. He explained that consequently vulnerable groups simply want to know, “If I am put in jail, what can you do for me?”³⁶² The second greatest challenge was the sociocultural environment or “*la réalité du terrain*.” During this period there were high

³⁵⁹ Informant numbers: 18, 19, 20, 21, 23, 25, 26, 30, 31, 32, 36, 45.

³⁶⁰ Informant 21: Executive coordinator, HIV/AIDS association; Tunis, 18 Jan. 2012.

³⁶¹ Informant 21: Executive coordinator, HIV/AIDS association; Tunis, 18 Jan. 2012.

³⁶² Informant 25: Supervisor of peer educators and outreach worker, founder of *Damj*; Tunis, 27 Jan. 2012 and 14 Mar. 2013.

degrees of stigma by communities against people who were vulnerable to acquiring HIV/AIDS and this stigma could have the effect of setting the work of the organisation behind months, either through inflammatory articles in the press or from discrimination among community caregivers. Organisations knew they would have to take their work forward in a more underground and informal manner to advance at either of these levels. Strategies of caution became vital to the work of the organisations at this time. Nasser stated:

We are successful in doing our work in part because we are courageous and in part because of our discretion,...We know that there are risks but we also want to live as equal citizens in Tunisia, this is primordial for me. We are conscious of these risk but we have to go far and advance. We have the will to go above and beyond these risks. However I also realise that I do not want to put others in danger. We try to measure these risks and take precautions.³⁶³

During the research interviews, a significant number of the informants were open (to varying degrees) about difficult experiences they (or their colleagues) encountered at the political and sociocultural level in Tunisia as employees of the HIV/AIDS associations or as individuals engaging in policy and advocacy in this domain during the Ben Ali regime.³⁶⁴ They highlighted the risk of conducting this work but also described the multiplicity of strategies they used to be able to manoeuvre through what often was perceived to be uncertain terrain. This uncertainty had its origins in the personalist regimes of Bourguiba and Ben Ali, which both relied upon authoritarianism to implement liberal sociopolitical and socioeconomic reforms in the drive for “modernisation” and stability. The implementation of neoliberal economic reform in Tunisia necessitated a high degree of political legitimacy on behalf of the Ben Ali regime. In order to secure and maintain this legitimacy, liberalising reforms were adopted to provide the national and international impression that genuine democratic pluralism was underway. To the contrary, authoritarianism was being further embedded through a combination of sustained oppression of perceived opposition and networks of neopatrimonial relationships, effectively allowing the regime to stifle public spaces for political and collective activism. As a consequence, many Tunisian citizens prior to the uprising in 2010 were only marginally involved in their country’s governance (either at

³⁶³ Informant 25: Supervisor of peer educators and outreach worker, founder of *Damj*; Tunis, 27 Jan. 2012 and 14 Mar. 2013.

³⁶⁴ Informant numbers: 18-26, 30, 31, 32, 36, 45, 48 and 57 (16 research participants).

the national or local level). Nevertheless, both the Bourguiba and Ben Ali regimes unwittingly and ultimately provided the conditions for autonomous social action to arise, in part through the instillation of political liberalisation measures that granted legal status to many of these organisations. This formal as well as informal social action endured in spite of tacit measures by the government and security apparatus to control and repress through intimidation, force, and violence.

Conclusion

The experience of initial state building during Ottoman control from the sixteenth century gradually moved Tunisia to more established and centralised forms of government. These particular origins and initial structures of the Tunisian state provided the opportunity to not only consolidate the bureaucratic apparatus necessary to govern and maintain legitimacy, but also to bring peripheral regions and tribal populations under greater state social control by the middle of the twentieth century. Moreover, the relatively uninterrupted period of state-building and centralisation encountered throughout French colonial rule effectively afforded the post-independence leadership a highly efficient and highly centralised state apparatus from which to govern. Through the establishment of a unified nationalist movement, Bourguiba was able to lead Tunisia to independence from French colonial rule—and from 1956, he ruled what was already considered an established bureaucratic state. Nevertheless, the Tunisian state consolidated under Bourguiba quickly entered into what Ben Romdhane refers to as an “authoritarian spiral.” Bourguiba not only had to manage and pre-empt the conflicts that emerged immediately prior to and following his ascent to leadership—for example, through the confrontations taking place from within the Neo-Destour Party with Salah Ben Youssef and the Youssefists—but also he drove through the implementation of controversial sociopolitical reform such as the Code of Personal Status (CPS) and austere socioeconomic reform in the face of extreme poverty across the country. These crisis moments in the transformation of the state represent critical watersheds in Tunisia’s institutional development. Moreover, the vigour with which the Bourguiba regime implemented these economic and social reforms effectively allowed the project of national construction to supersede opportunities for political pluralism and liberalism. Over time, the legitimacy of the Bourguiba regime became increasingly tied to economic stability and success. Nevertheless, growing authoritarian and repressive measures for state social

control soon came to overshadow possibilities for genuine democratic pluralism in Tunisia and inevitably influenced the nature of Tunisian society that would develop from this period.

This “authoritarian spiral” continued well into the Ben Ali regime from 1987 despite initial optimism for democratic reform. The regime’s preoccupation with both the implementation of neoliberal economic reform and political stability and security, eventually necessitated even harsher crackdowns on perceived unrest and opposition. Nevertheless, from 1987 to 2010 more than 9,000 civil society organisations were established through the 1959 laws of association modified under Ben Ali, allowing a range of human rights and organisations working with marginalised groups to be created. Tunisia’s laws of association were regularly amended, expanded, and contracted, to correspond to the degree to which the regime sensed potential opposition, as well as to create the impression of legitimacy nationally and internationally. This was as opposed to attempts to genuinely create spaces for civil society groups and actors to play a consequential role in the way Tunisia was governed. Actors looking to engage in civil society organisations knowingly accepted certain risks to engage in even benign activities, including the risk of harassment, intimidation, and repression. To quash opposition the security apparatus under Ben Ali even extended this repression to the personal-level, where friends and family members of civil society actors were also met with hostility. The eventual cumbersome laws of association, practices of co-optation and infiltration, and the frequent obligation to declare one’s allegiance to the RCD party not only instrumentalised these actors and groups, but also discouraged many individuals from engaging in collective activism. More importantly, a body of individuals, namely the Islamists, were denied the opportunity to be active in public spaces at any level. These authoritarian and exclusionary practices of some segments of the population eventually impacted upon the nature of Tunisian society during this period. Moreover, over time these practices restricted many civil society actors and groups to the role initially demarcated for them within the neoliberal framework—as providers of social welfare services.

The civil society organisations that chose to formally legalise their work had to outwardly accept and abide by the “rules of the game” set by the regime. The organisations that engaged in women’s rights and broader human rights took greater risks than the groups

working in HIV/AIDS as their work was often more visible but more importantly, the issue of human rights represented a significantly contentious issue at the political level. However, these organisations also had arguably more support from national, regional and international bodies. The rights-based organisations were also strategic in linking their activities and advocacy to other broader issues such as solidarity with Palestine and the greater defence of human rights in the region. Despite the often brutal encounters with the regime, these external links offered the organisations a degree of protection, but more importantly a principal means to subvert state control. For the HIV/AIDS organisations that later sought to support and work with key populations at higher risk of acquiring HIV, the challenge was not necessarily the overt, brunt force of the government or security apparatus. Instead, the greatest barrier was often the local police and communities through which outreach workers, researchers, and medical staff needed to manoeuvre to reach clandestine and illegal communities.

The symbolic and physical public spaces for civil society actors became increasingly constrained throughout the five decades following independence, a period during which both an intolerance for political opposition, against both Islamist and secular movements, and a predilection for the implementation of “modernising” reforms virtually transformed civil society into a homogenous entity of secular-liberal actors. Moreover, the vigour with which neoliberalism was at times applied eventually afforded many of these actors an unquestioned legitimacy eventually allowing for the control and repression of those groups (and ideas) that did not align with secular norms and the vision of “modern” Tunisia. In the drive to maintain secular-liberal public spaces, the conflicts and contentions among these actors and groups were increasingly de-emphasised and overlooked. Throughout the remainder of the thesis, this research will underscore how the manner in which both the Bourguiba and the Ben Ali regimes manipulated spaces for civil society groups and actors to manoeuvre has left its residue on these actors today. Moreover, it will demonstrate how the Bourguiba and Ben Ali regimes unwittingly provided the conditions for independent social action to arise through the repression of emerging counter-publics. What materialised following the Tunisia uprising in 2010 was a virtual breathing space and unrelenting momentum to participate in Tunisia’s public spaces, or what many referred to as the rebirth of *muwatana* or *citoyenneté*, following the revolution.

The next chapter examines what happens when a space opens up following the downfall of a dictator, and in particular which actors and groups rush to fill this space. Effectively, the residue of authoritarian rule left on many of these organisations that existed before 2010 had a substantial impact on the nature of the relationships that would emerge among civil society actors during Tunisia's transition from authoritarian rule.

Chapter IV: Civil society and the opening up of the public space

Before Ben Ali, people were not free to do this (establish an association) for fear of engaging directly or indirectly in the political system with the regime; but now this spirit of “electorism” is resurfacing and in a way, the creation of all these associations is a symbol of resisting a dictatorship.

--Director, United Nations human rights organisation, Tunis³⁶⁵

This space was wide open—there were no police, no government, the political groups were not structured, anything was possible.

--Journalist, TunisiaLive.Net³⁶⁶

The downfall of a dictator following almost three decades of authoritarian rule in Tunisia opened a space. In the months that followed the departure of the Ben Ali regime, this space swelled, harnessing a multitude of visions and priorities for post-revolution Tunisia. From the moments of national solidarity of having brought down a dictator to the redefining of national priorities, numerous battles unfolded in Tunisia's public spaces unmasking the complex and unstable nature of democratisation. During this period one witnesses the moments of the “popular upsurge” in which thousands occupied the historic public spaces of Tunis such as in front of the Ministry of Interior along Avenue Bourguiba, the almost instantaneous measures for political liberalisation put into effect under the transition governments, and finally the “resurrection of civil society” so frequently described in the literature on transitions from authoritarian rule. However, what are often absent from this literature are accounts of the conflicts and contestations taking place among these actors and groups manoeuvring within these different spaces. Following the Tunisia uprising, numerous contestations manifested alongside the unattainable expectations among many for a higher or different standard of democracy, as well as for consensus on what those national priorities should be.

³⁶⁵ Informant 34: Director, multilateral human rights organisation; Tunis, 15 Feb. 2012.

³⁶⁶ Informant 27: Co-founder and journalist, English news website/media; Tunis, 30 Jan. 2012.

From 2011–2013, the landscape for civil society actors in Tunisia expanded with the establishment of several thousand new and legal civil society organisations. Following the deregulation of the former laws of association initially promulgated under Bourguiba and eventually amended by Ben Ali, civil society organisations were able to work more openly in a wider range of activities including civic activism, human rights, social welfare initiatives, and direct outreach work with deprived communities across the country. From January to October 2011 it is estimated that 1,700 new organisations were created, with a further 600 civil society organisations registering between October 2011 and March 2012.³⁶⁷ The new organisations were also acting alongside the more than 9,000 civil society organisations established during the Bourguiba and Ben Ali regimes, termed soon after the revolution the “historic” associations. As Tunisia moved to initiate political liberalisation measures following the departure of Ben Ali in January 2011, the symbolic and physical public spaces for a multitude of actors and groups critically widened.

One also began to observe a powerful sense of *muwatana* or *citoyenneté* emerging not only among the various civil society actors, but also among the broader population following the uprising. As the numerous civil society actors and groups moved to the forefront, spaces for political liberalisation opened with fresh avenues for civic participation. The organisations and the actors that inhabited these expanding spaces interacted with each other through a web of relations and confrontations. Every opening also brought competing agendas and visions for who exactly should fill the public space and what nature this changing domain should take.

Through an examination of the effects of the opening up of the public space during the two years following the downfall of an authoritarian regime, it is possible to locate the different conflicts that emerge between civil society groups and actors. In addition to locating the specific areas of these conflicts during what is often characterised as a tumultuous period of the transition, the actual consequences of these contestations become more apparent. Drawing on field research, this chapter examines the first core theme of the thesis, namely the “illiberal” effects of the opening of the public space(s). It looks specifically to the

³⁶⁷ Union Européenne, “Rapport de Diagnostic,” 5.

moments when this space opened in Tunisia as well as to the actors who were included and excluded as a result of the expansion of this space. It begins with a narrative of the events immediately following the departure of the Ben Ali regime in January 2011, such as the initial steps taken by the transition government(s) to implement political liberalisation measures including the drafting of election road maps and the realisation of a National Constituent Assembly. It then looks to the impact of the transition from authoritarian rule on the remnant political institutions as well as the manifold expectations and contentions that emerge among various actors during this period through key public contestations, for example on the status of women and freedom of the press. This chapter then depicts the “resurrection of civil society” in Tunisia when thousands of new organisations were legally allowed to register through the newly expanded laws of association. Finally, it traces the (re-)emergence of the notion of *muwatana* or *citoyenneté* and considers whether this notion reflected the self-determination and self-management agendas prevalent earlier in the social movements of the 1980s or later neoliberal understandings of good governance in donor-led development discourses. I argue that Tunisia’s efforts to implement political liberalisation to initiate democratisation did not automatically entail an automatic “liberal” opening of the public space. In fact, one begins to observe groups and actors traditionally characterised by solidarity and good will, acting against the democratic virtues often attributed to them.

1. Political liberalisation and the expansion of space

With the disappearance of fear, Tunisians who previously would have characterised themselves as politically apathetic would express their newfound interest and thirst for news, information, and for political engagement. Sami Zemni, tracing the moments following the departure of Ben Ali, contends that from January 2011 political developments were largely shaped by tensions between the desire for “institutional continuity” by the legal government and the “revolutionary legitimacy of the popular mass mobilisations.”³⁶⁸ In what Zemni describes as a moment of “extraordinary politics” Tunisia entered into the

³⁶⁸ Zemni, “The Extraordinary Politics of the Tunisian Revolution,” 4.

“re-constitutive phase of the political.”³⁶⁹ This process started with the creation of the “Front of January 14th” involving already existing and newer political parties, young people who participated in the revolution, and civil society actors. The Front articulated the demand for elections in order to form a constituent assembly within the year and argued for the suspension of political parties linked to the Ben Ali regime.³⁷⁰ By 4 March, the Tunisian constitution was suspended and later that same month Tunisia officially recognised 45 political parties, in comparison with only 8 prior to January 2011.³⁷¹ By May, an electoral committee was put in place (*L’Instance Supérieure Indépendante pour les Élections* (ISIE)) to hold elections for members to serve on the National Constituent Assembly. The space for political participation was opening and Tunisians were embracing their commitment to shape a different Tunisia. During the period from the 2010–2011 uprising until May 2011, when the dates for elections to the National Constituent Assembly were announced, Tunisia experienced several weeks of temporary political appointments characterised by frequent ministerial and RCD party member resignations. Zemni argues against the notion that this period was marked by political instability:

Looked at from the perspective of the revolutionary effort to radically change the regime, the high levels of collective mobilisations, the demand for fundamental change, the emergence of informal public political spaces and even the emergence of extra-institutional movements...should be seen as a phase of extraordinary politics.³⁷²

Approximately three months after the Tunisia uprising, two institutions created following the revolution merged. The Committee for Political Reform and the National Council for the Protection of the Revolution (CNPR) joined to initiate the first phase of the transition by establishing the High Authority for the Realisation of the Objectives of the Revolution, Political Reform and Democratic Transition. Led by the renowned scholar Yadh Ben Achour, the High Authority was created to oversee the transition from revolution to elections and

³⁶⁹ The High Authority was created through the fusion of two institutions established immediately after the revolution, the Committee for Political Reform and the National Council for the Protection of the Revolution (CNPR). See Zemni, “The Extraordinary Politics of the Tunisian Revolution,” 2 and 6.

³⁷⁰ Zemni, “The Extraordinary Politics of the Tunisian Revolution,” 4.

³⁷¹ Camau, “La Disgrace du Chef,” 29.

³⁷² Zemni, “The Extraordinary Politics of the Tunisian Revolution,” 5.

was charged with drafting new laws to organise the October 2011 elections. Moreover, Zemni observes, “The High Authority claimed co-decision on all governmental matters.”³⁷³

On 23 October 2011, Tunisia became the first country to hold democratic elections following the uprisings in the Middle East and North Africa. Total voter turnout on the day was 52 percent of eligible voters (86 percent of registered voters and 16 percent of unregistered voters), and the Ennahda party won 37.04 percent of the vote and 89 (41.01 percent) of the 217 seats on the National Constituent Assembly.³⁷⁴ In addition, 58 women secured seats on the Constituent Assembly, (39 of whom were members of Ennahda) to hold 27 percent of the total number of seats.³⁷⁵ Despite a relatively low voter turnout, the National Democratic Institute final report on the National Constituent Assembly elections concluded, “Although no party won a majority of seats Ennahda emerged as the strongest political force in the country winning more votes than the next eight parties combined and garnering a plurality of seats in the NCA.”³⁷⁶ Issandr El Amrani and Ursula Lindsey note, “Not only did the party win a plurality of seats nationwide, it won a plurality in almost every district in the country, including in Tunis....In other words, not only is Ennahda clearly Tunisia’s strongest party, it appears to have deeper support, more evenly spread across the country, than any other party.”³⁷⁷ It is argued that a significant proportion of the voters for Ennahda were located in the marginalised regions of Tunisia in the centre, south, and west of the country and were mainly composed of the lower-middle classes. This included unemployed youths and employees of the service sectors who, Habib Ayeb remarks, were “mostly conservative and non-Francophone, and have strong ties to traditional values and religion.”³⁷⁸ However, he argues that the voter choice of Ennahda was based less on ideological conviction, but rather in line with the “social expectations” of the revolution, and against the immorality and corruption associated with the former regime. According to Ayeb, “It seems the vote has been precisely against leftists and liberals more than it was for

³⁷³ Zemni, “The Extraordinary Politics of the Tunisian Revolution,” 6–7.

³⁷⁴ National Democratic Institute, “Final Report of the Tunisian National Constituent Assembly Elections,” 15–19.

³⁷⁵ Ibid., 17.

³⁷⁶ Ibid., 19.

³⁷⁷ El Amrani and Lindsey, “Tunisia Moves to the Next Stage.”

³⁷⁸ Ayeb, “Understanding the rise of Tunisia’s Islamists.”

Ennahda. One can argue that it was largely a protest vote, or a vote of resistance.”³⁷⁹ Following the election, Rachid Ghannouchi, co-founder and president of Ennahda, was quoted as saying, “This is an historic day. Tunis was born again today. The Arab Spring is born again today—not in a negative way of toppling dictators but in a positive way of building democratic systems, a representative system which represents the people.”³⁸⁰ Eventually, Ennahda went on to form a coalition with two secular parties—the Congress for the Republic (29 seats) and Ettakatol (20 seats)—to secure a majority, creating what would come to be known as the “Troika.”³⁸¹ The compromises required by all participants in a coalition involving secular and Islamist parties became a critical source of tension within the government whereby a virtual stalemate between the parties continued until the October 2014 parliamentary elections.

The principal task for the National Constituent Assembly was in effect to remodel and package Tunisia’s post-revolution national identity. This would not be an easy task given the manner in which the country appeared to be increasingly divided between the secular elements of the population and a vast range of Islamist actors. Maaïke Voorhoeve observes, “While the first slogans of the revolution invoked employment and dignity, the relationship between the state and religion quickly came to the fore in debates on what ‘the new Tunisia’ should look like, and the future constitutional reference to religion played a crucial role.”³⁸² Consequently, one of the main issues for the National Constituent Assembly was Article One of the previous 1959 constitution, which stated, “Islam is Tunisia’s religion.” The National Constituent Assembly chose to copy Article One from the previous constitution—a choice that Voorhoeve argues reflected “continuity” over “transformation” and in effect, for Ennahda, represented a political strategy to avoid an exacerbation of tension between Islamist and secular factions.³⁸³ Nevertheless, one of the contentions concerning Article One was the vagueness with which it was applied in the past, and with which it could be potentially applied through an Islamist majority;³⁸⁴ of particular focus was the issue of

³⁷⁹ Ayeb, “Understanding the rise of Tunisia’s Islamists.”

³⁸⁰ “Tunisia votes in historic free election.”

³⁸¹ See: National Democratic Institute, “Final Report of the Tunisian National Constituent Assembly Elections,” 19 and Redissi, “Tunisia: The Difficulties of the Coalition.”

³⁸² Voorhoeve, “Islam is Tunisia’s Religion,” 3.

³⁸³ Ibid., 5.

³⁸⁴ See Khefifi, “L’Expression ‘Système des Valeurs Islamiques.’”

whether or not there was a role for Sharia in the Tunisian Constitution. Voorhoeve, citing a Tunisian Law professor, argues, “although the text of Article One has remained the same, its meaning may change significantly as new governments interpret it.”³⁸⁵ Ennahda in fact embodied a host of disparate interpretations of Islam, some of which were moderate and others that represented stricter understandings of Sunnism.

For example, in March 2012 thousands of Salafis demonstrators called for the implementation of Sharia into Tunisia’s Constitution. Protesters voiced cries of “*takbir*”—an affirmation of the greatness of god—and “the people want the implementation of Sharia.”³⁸⁶ A female protester remarked, “Sharia is what we need. It is our salvation. Secularists know so little about Sharia; they only hear how men are allowed to marry four women or how thieves’ hands are cut. This is not what Sharia is about, it is a way of life.”³⁸⁷ Moreover, more than 100 associations under the umbrella organisation of the Tunisian Front of Islamic Associations delivered a formal petition calling for Islamic law.³⁸⁸ Opponents were also active. Approximately one week later, on 20 March 2012, Tunisia’s day of independence, thousands of secular Tunisians marched to demonstrate in favour of a “civil state.” One of the protesters with a Tunisian flag wrapped around her waist asserted, “We will not allow a minority that was not even present before January 14th to impose its views on us, it is wrong that after 56 years of independence we are still here calling for a civil state.”³⁸⁹ From 2011–2013, a range of similar demonstrations and protests across Tunisia’s public spaces exposed the different priorities and visions for post-uprising Tunisia.

Expectations for the transition

The perception of disorder or chaos following the downfall of an authoritarian regime can eventually transform former sentiments of mutual solidarity and unity into what can be conflictual and consequential “us” versus “them” distinctions. These distinctions in Tunisia manifested in both the political debates of the National Constituent Assembly, as well as within the public space among civil society. The “us” versus “them” demarcation perhaps most sharply and critically emerged in debates regarding the free press and media, the

³⁸⁵ Voorhoeve, “Islam is Tunisia’s Religion,” 1.

³⁸⁶ Ajmi, “More than 4,000 People Descend on Constituent Assembly.”

³⁸⁷ Ibid.

³⁸⁸ Ibid.

³⁸⁹ Amara, “Tunisian Protesters Reject Calls for Islamic State.”

status of women, and key national symbols such as the Tunisian flag. These debates underscored more importantly the perception of a growing divide between Islamist and secular factions of Tunisia's post-uprising population as well a moral panic manifesting among disparate civil society activists.

Tunisians debated a host of issues during the two years following the 2010–2011 uprising, including several issues that some thought were debates resolved in the period immediately following independence in 1956. These issues included discussions on the veil, polygamy, traditional (or temporary) marriage, a woman's right to divorce, single mothers, abortion, and even female genital mutilation.³⁹⁰ Political discourses concentrated on, for example, the status of women at a time when many thought urgent political debates should focus instead on issues such as the state of the economy, rising food prices, and unemployment.³⁹¹ In "The Uprisings will be Gendered," Maya Mikdashi notes, "Such a selective focus on sexual and bodily rights obfuscates power dynamics and contexts that are always also at play when discussing a particular political, historical, or economic issue."³⁹² This sudden shift in discourse invoked a sustained moral panic among many secular-liberal women who grew up in the era of the Code of Personal Status (CPS). The CPS outlawed polygamy, set an obligatory minimum age for marriage (15 years of age for women and 18 for men), stipulated consent of both spouses for the validity of the marriage, and created a more rigorous divorce procedure required in court.

This moral panic was also accompanied by an overarching sentiment of being "let down by the revolution," in particular among women who participated in the Tunisian uprising alongside men in very public spaces. With their male counterparts they called for "freedom, dignity, and employment," but following the revolution they perceived they were at a real risk of losing some of the rights they had acquired through the former regimes.³⁹³ Many secular-liberal women were arguably angry and fearful over the future direction of post-revolution Tunisia. Some women were also nervously looking over their shoulders to Iran

³⁹⁰ See Meziou-Dourai, "A Propos du Mariage Coutumier," and Khalsi, "Excision...ou les Prédications d'un Psychopathe."

³⁹¹ Gray, "Tunisia after the uprising," 285.

³⁹² Mikdashi, "The Uprisings will be Gendered."

³⁹³ Gray, "Tunisia after the Uprising," 290.

and Afghanistan for examples of what could happen to the status of women after an Islamic Revolution, and even to Iraq following the targeted killing in early 2012 of young people perceived to be homosexual with “emo-like” features (including tight fitting clothes and alternative hairstyles). For example, in an article featured in *Le Temps* in March 2012 entitled “What is the perception of sexuality by the Salafists?,” Yasser Maarouf, referring to the targeted killings in Iraq, writes:

These different dramatic events and the contradictory statements from those responsible in the government have caused us to bring up an unanticipated question, by virtue of its absurdity: what sexuality is the Salafists promoting, so present in the media for the last several weeks? What is the future for Tunisian women in the face of these provocations? What will be the life for those children born out of these marriages (traditional) without security?³⁹⁴

This fear of “moving backwards” not only invoked anxiety, but also a degree of disdain among secular-liberal women towards Islamist women demonstrating a visible commitment to Islam, such as by wearing the *hijab* or the *niqab*.³⁹⁵ Mikdashi points out that as Islamists gained increasing support in Egypt, Tunisia, and Syria, concerns over gender policies increasingly manifested. She argues:

Gender equality and justice should be a focus of progressive politics no matter who is in power. A selective fear of Islamists when it comes to women’s and LGBTQ rights has more to do with Islamophobia than a genuine concern with gender justice. Unfortunately, Islamists do not have an exclusive licence to practice patriarchy and gender discrimination/oppression in the region.³⁹⁶

It is important to point out that it was not simply the secular discourse on the status of women igniting debate, but a range of voices equally came to the fore to advocate *against* the CPS in favour of a more Islamist system to guarantee the rights of women. For example, just before International Women’s Day in March 2012, three women were interviewed by the new online journal Tunisia-Live. Nesrine Bouthafi, a member of *Hizb Ettahrir* (reportedly a legally unrecognised Islamist party), argued, “We condemn the CPS. Women in Tunisia are suffering because of this code—it is the source of their pain now....The code’s principles are

³⁹⁴ Maarouf, “Quelle Perception de la Sexualité.”

³⁹⁵ Gray, “Tunisia after the Uprising,” 289.

³⁹⁶ Mikdashi, “The Uprisings will be Gendered.”

not derived from Islamic ones, and are only harming Tunisian women.”³⁹⁷ In the post-revolution discourse the issue of the status of women and the CPS became “fully politicised.”³⁹⁸ Moreover, conflicts over the future of Tunisia’s national identity grew during the two years following the uprising. Contestations over some of the more critical issues for Tunisia, at times, resulted in public confrontations and even violence between activists. The consequence of these conflicts would either serve to close down these nascent spaces or the contrary, open the field far wider to newer and different forms of discursive contestation.

Persepolis and Manouba University: uncomfortable confrontations

On 7 October 2011, only weeks ahead of the first post-revolution election for Tunisia’s National Constituent Assembly, the private television station Nessma TV broadcast the animated film *Persepolis* dubbed into Tunisian dialect. The 2007 film was based on the writer and co-director Marjane Satrapi’s autobiographical graphic novel, which followed a young girl as she and her family experienced the consequences of the Iranian revolution. Subsequent to its release, the film was labelled as “blasphemous” by a number of Islamic critics for its depiction of a representation of Allah in a dream sequence where the film’s protagonist imagines a conversation with God. The immediate outcome of the broadcasting of the film involved a firebomb attack on the head of the station’s home on 14 October 2011 as well as protests by several hundred Salafis in front of the station’s offices.³⁹⁹ More importantly, soon after these events, the station head went on trial for “undermining” sacred Islamic values and “disturbing the public order,” thus placing him at risk for three years in prison. A suit filed by more than 130 lawyers called for the persecution of the head of the station as well as two of his employees who, in the months that followed during my research, were required to appear in court. The Court of First Degree of Tunis announced that it would open a criminal investigation.⁴⁰⁰ After arriving at the courtroom in November 2011, the head of the station, Nabil Karoui, said, “I feel an immense sadness because the people who wanted to destroy the channel are free and I am here because I broadcast a film.”⁴⁰¹

³⁹⁷ Ajmi, “Tunisian Women Question Future.”

³⁹⁸ Gray, “Tunisia after the Uprising,” 285.

³⁹⁹ “Tunisia: Drop Criminal Investigation.”

⁴⁰⁰ Ibid.

⁴⁰¹ Associated French Press, “TV Boss Goes on Trial.”

The fallout from the broadcasting of the film involved a number of attacks on journalists and violent confrontations outside the courtroom and the Ministry of Interior. For example, in January 2012 Tunisian journalist Zied Krichen and university professor Hamadi Redissi were physically and verbally assaulted outside the courthouse. Krichen responded, "If the physical safety of journalists is jeopardised, we cannot start talking about freedom of the press. The priority is to protect the individuals and pursue the offenders."⁴⁰² These acts of aggression, which invoked limited initial response from the government, led many in the press and greater population to conclude a complicity of Ennahda with more conservative groups such as the Salafis. Moreover, the arrest of Nabil Karoui and his employees sparked a more vicious debate concerning the future of a liberalised press in Tunisia and greater questions regarding freedom of speech in the post-revolution environment.⁴⁰³ It could be argued that the arrest and eventual prosecution of the head of Nessma TV (in May 2012 he was officially charged with "undermining sacred Islamic values" and obliged to pay a fine of 2,400 Tunisian dinars)⁴⁰⁴ sparked public concerns over the degree to which Ennahda would seek to incorporate and heed the stricter perspectives of the Salafis, and therefore intensified concerns over just how Islamist post-revolution Tunisia would become.

The next event that came to occupy considerable public space across the media and among civil society actors and groups was in fact a series of events, demonstrations, and public confrontations at the University of Manouba in Tunis. From the end of 2011 well into 2012, groups of students (although some argue they were not in fact students) chose to occupy the university to protest a stipulation that banned female students from wearing the *niqab* on campus and a student union by-law that prohibited the wearing of the *niqab* during the sitting of exams. While it was argued that only a handful of students post-revolution would have chosen to wear the *niqab*, the demonstrators occupied the university for several months and distributed leaflets proclaiming, "Sister, what is preventing you from wearing the Niqab?"⁴⁰⁵ It is reported they threatened professors and students, making the learning environment generally unpleasant for many. The University of Manouba events culminated

⁴⁰² Ghribi, "Tunisian Journalists Subject to Recent Wave of Violence."

⁴⁰³ See Mamelouk "The Rocky Road for Freedom of Press" and Human Rights Watch, "Tunisia: Drop Criminal Investigation of TV Station."

⁴⁰⁴ Belaid, "Tunisia: Persepolis Trial Verdict."

⁴⁰⁵ Suleiman, "The Disintegrating Fabric of Tunisian Politics."

when two female students wearing the *niqab* attacked the school's dean by throwing books at his face and breaking his nose.⁴⁰⁶ In response, secular-liberal members of the national students' union organised a demonstration. This demonstration was simultaneously met with a Salafist demonstration calling for the right for females to wear the *niqab* during exams, while brandishing the black Salafist flag inscribed in Arabic with "*la ilaha illa Allah Muhammad rasul Allah*" –There is no God but God and Muhammad is His Prophet.

In March 2012, a young male Salafist student (now identified as a third-year mechanics student) climbed the rooftop of the university. He removed the Tunisian flag and replaced it with the Salafist flag. Soon after, a female student climbed the wall and attempted to replace the Salafist flag with the Tunisian national flag—the secular woman in confrontation with the Islamist male. Before she could change the flag, she was pushed off the wall by the young Salafist (she did not suffer any critical injuries). This event was soon highlighted as a primary moment in the post-revolution battle for national identity. Moreover, this very public confrontation took place the day before International Women's Day during which thousands of women marched on Avenue Bourguiba underscoring the importance of the CPS. The young woman was celebrated on International Women's Day and praised by politicians including the general secretary of the Progressive Democratic Party (PDP), who stated, "I salute the bravery of this young lady, who did not hesitate for a second to defend her nation's flag."⁴⁰⁷

The young woman also became a symbol as she personified the fears of some Tunisian citizens at the time. One of the fears was that the history and "progress" of Tunisia would be replaced by Sharia and hence women's rights and a woman's role in society would be violently removed from this platform, in a very public way. It also further symbolised the battle of "us" versus "them" and the confrontation and polarisation of the secular and Islamists factions in post-revolution Tunisia. The same week members of the National Constituent Assembly placed small Tunisian flags on their desks to express their displeasure with the mistreatment of the flag, while the interior minister at the time, Ali Laarayedh,

⁴⁰⁶ Associated Press, "Islamist, Leftist Students Clash."

⁴⁰⁷ Ghribi, "Tunisians Erupt in Anger."

rather than reproaching the Salafis activists, assigned blame to the dean of the University of Manouba for having mishandled the initial conflict.⁴⁰⁸

For many Tunisians, symbols of identity such as the flag assumed greater importance following the 2010–2011 uprising. These acts of identity recovery could not only be witnessed in the re-appropriation of certain symbols, but also in the *dis-appropriation* of symbols and institutions associated with the former regime. In the two years following the revolution, this sense of identity recovery manifested in various forms at the level of the street. Not only was the subject of women through the symbols of the headscarf and the *niqab* “strategic terrain” for national identity recovery, but marginalised groups and behaviours also became targets for purifying the nation of the “impiety” associated with the former regime.⁴⁰⁹ For example, in addition to the attacks on the *maisons closes* in February 2011,⁴¹⁰ the power of the street was also responsible for the closing down of bars and stores, as Salafis gathered in Sidi Bouzid in May 2012 to burn down bars and physically threaten the owners in protest against the sale of alcohol in the town.⁴¹¹ Moreover, it was reported that between 2012 and 2013 more than 100 cases of fire and looting were targeted at *zawiyas* (Sufi lodges) by Salafist forces.⁴¹² These instances, led by members of communities rather than a formal government authority, resonated with many Tunisian communities (secular and Islamist) who before were afraid of the police, but were now more concerned by the power of the mob who arguably faced no visible consequences for its actions. In September 2012, the public opinion and marketing firm *3C Etudes* highlighted in its press release the results of its political barometer survey entitled “Neuvième Vague” indicating at the time that 60 percent of Tunisians were dissatisfied with the security situation in the country, with 42 percent indicating “total dissatisfaction.”⁴¹³ This study reflected in part the increasing sense of insecurity being felt across the country by individuals and communities from 2011.

⁴⁰⁸ Ghribi, “Tunisians Erupt in Anger.”

⁴⁰⁹ Haugbolle and Cavatorta, “Beyond Ghannouchi.”

⁴¹⁰ Bensaïed, “Les Islamistes S’Attaquent aux Maisons Closes.”

⁴¹¹ Ltifi, “Salafists Burn Down Bars.”

⁴¹² “Tunisia Salafists take aim at Sufi Shrines,” in Middle East on Line: www.middle-east-online.com/english/?id=54891 featured in Blibech, Driss, and Longo, “Citizenship in Post-Awakening Tunisia.”

⁴¹³ 3C Etudes Communiqué de Presse: Baromètre politique 3C Etudes. Neuvième vague, Sept. 2012, www.3cetudes.com.

Finally, in February 2013, Chokri Belaid, a Tunisian politician and lawyer who was a key opposition leader with the secular-left Democratic Patriot's Movement, was assassinated outside his home in Tunis. Only five months later in July 2013, Mohamed Brahmi, the founder and former leader of the People's Movement, was also shot (14 times) outside his home.⁴¹⁴ As the two men were vocal critics of Ennahda, many not only considered the assassinations a direct attack on political liberalism but also a perceived re-manifestation of the residue of authoritarian rule in post-revolution Tunisia. The prime minister at the time, Ali Larayedh, blamed the Salafist organisation *Ansar al-Sharia* for the two murders.⁴¹⁵ From the time of the elections in October 2011 when Ennahda gained power through the formation of the Troika to the murder of Belaid 15 months later, increasing intolerance between the secular and Islamist factions could be perceived at the political and sociocultural levels throughout Tunisia. The mounting tension between the two sides provided the impression of a country mired in sociopolitical stagnation in the critical phase of the transition two years later. The assassinations of two very public members of the opposition aggravated the intense transition climate.

Reflecting on events that took place during this tumultuous period, it becomes a challenge to untangle instances that were directed by political factions and those which were being instigated by sociocultural actors and groups. This haziness or *flou* reflects the notion that during a transition from authoritarian rule, a country not only experiences a remarkable political transition but arguably, the changes that appear to be happening at the sociocultural level merit equal scrutiny. These events, and the rumours accompanying them, take on even greater importance in particular within the context of loosened state capacity associated with transitions away from authoritarian rule. It is worth highlighting that the security apparatus and the judiciary systems had been crippled since January 2011. Moreover, conflicting statements on the government's post-uprising priorities were often exacerbated by the fact that for many years the leadership and members of Ennahda were either imprisoned or in exile in Europe, and therefore experienced more than a decade of limited, if any, communication. Articulating a coherent stance or policies on critical national

⁴¹⁴ "Tunisian Politician Mohamed Brahmi Assassinated."

⁴¹⁵ Associated Press, "Ansar al-Sharia Blamed for Tunisia Killings."

issues following the 2010–2011 uprising would undoubtedly reflect this lack of cohesion.⁴¹⁶ Therefore, popular perceptions of inadequate responses to these events accompanied by hostile confrontations and—on some occasions—violence, evoked suspicions of a “silent complicity” rather than encouraged more open opportunities for genuine dialogue on how to repair incapacitated infrastructure fraught by decades of abuse from its regulators. Inevitably, the impact of the events occurring at the political and sociocultural levels and which manifested in Tunisia’s expanding public spaces fostered a terrain of uncertainty, suspicion, and at times even hostility among and between its actors, alongside the multiplicity of emotions unleashed after the revolution.

The next section examines in more detail the specific actors and groups that emerged to fill the expanding public spaces following the amendments to the laws of association. Reflecting back on what is general to transitions from authoritarian rule, it is possible to observe a quantitative and qualitative re-birth of civil society actors in Tunisia during the two years subsequent to the downfall of the regime. Throughout this period one can observe not only the self-management, self-organisation, and agency-centred approaches adopted by civil society actors in the social movements in Eastern Europe and Latin America, but also evidence of the hegemony of the neoliberal understanding of the roles of civil society organisations as service providers and as critical agents in the transition to and consolidation of democracy. Is it possible that these two quite disparate models and conceptual understandings of civil society are a fundamental source of the conflicts and disharmony between these actors and groups today?

2. The resurrection of civil society

Almost immediately after the revolution during the first phase of the transition, the High Authority for the Realisation of the Objectives of the Revolution, Political Reform and Democratic Transition was established to oversee the transition from revolution to

⁴¹⁶ Ennhanda was banned in Tunisia from 1991 to 2011; See Gray, “Tunisia after the Uprising,” 291 and 293.

elections.⁴¹⁷ Among its many remits, in addition to the drafting of the legal framework and constitution for the next elections, was modifying the text on the laws of association in Tunisia.⁴¹⁸ These measures for political liberalisation, implemented before the elections to the National Constituent Assembly, came as a result of critical and sustained pressure from the popular masses following the downfall of the regime on 14 January 2011.⁴¹⁹ Moreover, the amendments to the laws of association would allow a new range of organisations to be formally and legally established in Tunisia. In March 2012, the newly appointed Minister for Women and the Family Sihem Badi stated, “The goal of an association is to defend *certain* rights and liberties, and to allow for the consolidation of democracy. In effect, it (the association) permits a citizen to be better informed of his rights and his obligations.”⁴²⁰ In early 2013 the Foundation for the Future presented the results of a study that concluded that at the end of 2010, a total of 9,969 associations were formally registered with the government. At the end of 2012, this number rose by approximately 5,000 to 14,966.^{421,422} Figures for the number of new civil society organisations established in the two years following the revolution range from between 2,000 and 5,000. And although qualitatively it is a challenge to evaluate the effectiveness of these newer organisations from the existing mappings, quantitatively the increase in the number of these kinds of organisations within a short period of time is noteworthy.⁴²³

Reshaping the framework for civil society

The 2011 amendments to the 1959 law of associations allowed a civil society organisation with as few as six members to be created without authorisation, accompanied by a simple

⁴¹⁷ The High Authority was created through the fusion of two institutions established immediately after the revolution, the Committee for Political Reform and the National Council for the Protection of the Revolution (CNPR). See Zemni, “The Extraordinary Politics of the Tunisian Revolution,” 6.

⁴¹⁸ See decree laws no. 14 of 23 March 2011 and no. 27 of 18 April 2011 and Guellali, “Pathways and Pitfalls.”

⁴¹⁹ Zemni, “The Extraordinary Politics of the Tunisian Revolution,” 4.

⁴²⁰ Emphasis added. Nemlaghi, “Associations et Embrigadement.”

⁴²¹ For additional information see: www.foundationforfuture.org/en/WebPresence/Latestnews1.aspx and Ben Salem, “Flagrant Deficit au Niveau des Capacités.”

⁴²² Although there are a number of mappings on the quantity and quality of civil society associations in Tunisia for the period from January 2011 to July 2013, the mappings/inventories have limitations as most were conducted in an unsystematic manner, focusing on only certain typologies of organisations, or done within disparate contexts. Therefore, existing mappings are only able to capture a fraction of the associative environment during this period.

⁴²³ Mappings of civil society organisations conducted during this period include WWF, l’Institut Francais de Tunisie, the British Council, I+UNICEF, ENDA Inter-Arabe, VNGI, IFEDA, the European Union Delegation, the office of the Prime Minister, the Ministry of Agriculture, and the mapping initiatives conducted by two NGO initiatives: CAWTAR, MEPI and MERCY CORPS, and le Réseau Euro-Méditerranéen des Droits de l’Homme (REMDH). Sited in Union Européenne, “Rapport de Diagnostic,” 10.

letter “to inform” that the association has been established. Newer organisations that did not receive a response to their application within three months could interpret this as a positive outcome for their “associational visa.” Furthermore, the eight categories previously necessary for an associational application were dismantled. The newer organisations could be political and could represent or directly support political parties. In addition, in September 2011 the laws of association were once again amended, this time to allow civil society organisations free access to information and judiciary representation (whereby the association could go before the justice tribunals themselves). Following the 2010–2011 uprising, a key transformation for many aspiring organisations was that the associational remit, formerly situated within the obscure crevices of the Ministry of Interior under Ben Ali, moved to become the responsibility of the Office of the Prime Minister under the *Centre d’Information, de Formation d’Etudes et de Documentation sur les Associations* (IFEDA). This could be interpreted as a symbolic shift towards an increased openness and transparency in approach toward civil society.

The table below sets out the modifications to the law of association 59-154 (7 November 1959) finalised September 2011.⁴²⁴

Law 59-154	Law 2011-88
Declaration of association made to the Ministry of Interior	Declaration made to the secretary-general of the government
The Ministry of Interior can reserve up to three months to announce the acceptance of the creation of the association.	The prime minister has 30 days to announce the acceptance of the creation of the association.
The law provides eight associational categories and applies limits to their field of intervention.	There is no longer any classification or limitation for the field of intervention of the association.
The associations falling under the rubric of “general” character are not permitted to refuse any demand for membership; if so, they can be pursued juristically.	The association itself is permitted to establish criteria for membership.
No age limit for the founders or members of the association	Individuals under the age of 16 cannot establish/found an organisation, and members have to be at least the age of 13.
Implicitly, associations can only be constituted by Tunisians (as the state demands the national identity card to open a new application for associational status).	Associations can be created and constituted by Tunisian nationals or residents of Tunisia.

⁴²⁴ Table featured in the report Union Européenne. “Rapport de Diagnostic,” 7–8.

As a result of these changes, civil society organisations were also able to create larger networks of organisations working along similar domains or with similar interests, something that was not allowed before 2011. Furthermore, smaller civil society groups could also be legally created, for example support groups and associations for people living with HIV, which were previously denied access to an “associational visa.” These changes in the legal framework were adopted almost immediately after the revolution, and were revised and made more pliant again in September 2011. This phase could be described as the initial post-revolution stage whereby a window of opportunity was perceived allowing disparate actors to pass the maximum number of reforms.

The re-birth of *citoyenneté*

Tunisian’s post-revolution “resurrection of civil society” following the amendments to the 1959 laws of association was accompanied by a renewed understanding and application of the concept of *citoyenneté*. The word *citoyenneté* means “citizenship” in French, and through its Arabic understanding with the word *muwatana* (مواطنة) “fellow citizens/compatriot” is a concept that embodies Tunisia’s intrinsic spirit of volunteerism alongside a profound commitment to support communities denied dignity and humanity under the former regimes. The concept itself represents a fundamental drive among the population towards reshaping a better and more inclusive post-revolution Tunisia. Of the approximately 15,000 associations formally registered through IFEDA, 30.9 percent were schools or educational programmes, 15.4 percent represented artistic or cultural NGOs, and 12.2 percent were social welfare and charity organisations. The Foundation for the Future press release also highlighted that a significant number of the charity associations “adopt a religious ideology.” Some of the nascent organisations also represented “new causes” such as democracy, women’s rights and broader human rights, local development, and the environment.⁴²⁵

While there are likely a multitude of explanations for the robust post-revolution sense of Tunisian *citoyenneté* that many interviewees referred to during the research interviews, two reasons are noted herein.⁴²⁶ The first explanation relates to the levels of force, intimidation,

⁴²⁵ See: www.foundationforfuture.org/en/WebPresence/Latestnews1.aspx.

⁴²⁶ The French word *citoyenneté* is featured more in this research rather than the Arabic *muwatana* as most of the interviews were conducted in the French language.

and repression applied by the former regimes, in particular against Islamist actors who were denied a public or associational role in Tunisia for several decades. The second explanation for this renewed sense of *citoyenneté* stemmed from the conditions under which Tunisia's revolution took place following an immediate state of emergency and consequently, a complete vacuum in political power in the weeks following the revolution. Tunisia was considered the only country in the region to fall into a political power vacuum during the Arab uprisings following the departure of Ben Ali and his family on 14 January 2011. After Ben Ali fled for Saudi Arabia, Tunisia experienced several weeks of temporary political appointments characterised by frequent ministerial and RCD party member resignations.⁴²⁷ For approximately three months (from 14 January to 3 March 2011, when the date was announced for the elections to the National Constituent Assembly) there were very few active police or security forces. El Amrani and Lindsey gave this account:

In the days immediately after the 14 January departure of Zine El Abidine Ben Ali... the country's future did not look so promising. Ben Ali's former ministers attempted to provide continuity without popular legitimacy, the economy was in shambles, and protests and insecurity continued. It took three months for a government more representative of the revolution to be appointed, the former ruling party disbanded, and the former regime elements sniping at passers-by rounded up.⁴²⁸

With the police absent from the streets, citizens took it among themselves to set up local security checks and blockades into and out of the different neighbourhoods; they organised community patrols and occasionally arrested looters to hand over to the military.⁴²⁹ Therefore, members of communities soon assumed this responsibility and accountability themselves at the local level to safeguard their own neighbourhoods. Could this indeterminate period have contributed to the nature of civil society that forged ahead with this sense of total citizen engagement, or *citoyenneté*, seen in Tunisia after 14 January 2011? Najeeb, a founder and member of several different associations, noted the following in the research interview, "The rights of individuals have had an extraordinary advance. Now there is everything—young people, women, political associations, charities...everything." He

⁴²⁷ El Amrani and Lindsey, "Tunisia Moves to the Next Stage" and Zemni, "The Extraordinary Politics of the Tunisian Revolution," 4.

⁴²⁸ El Amrani and Lindsey, "Tunisia Moves to the Next Stage."

⁴²⁹ Beinoin and Vairel, "Afterword: Popular Uprisings in Tunisia and Egypt," 241.

added, “With this new climate of liberty, everyone has the right to an association, from the extreme left to the extreme right.”⁴³⁰

Different civil society actors and groups soon emerged to exhibit a long-repressed spirit of volunteerism and *citoyenneté* further served by the immediate expansion of the 1959 laws of association. However, for numerous reasons the terrain upon which these groups and actors operated following the revolution was uncertain. This uncertainty was aggravated by crippled state institutions, a sudden influx of new international donors, an inability to ascertain the relationship between the newly elected government, and more “conservative” actors operating at the sociocultural level as well as the complexity of rumour and myth-making that can manifest during sociopolitical transformations following authoritarian rule. This murkiness not only clouds the political landscape, but it also renders it a challenge to determine the genuine nature, disparate groups, and functioning of civil society acting in both symbolic and physical public spaces.

The following two sections examine the various actors who considered themselves members of civil society in the two years following the 2010–2011 Tunisia uprising. The first section looks to the situation for some of the historic civil society organisations established during the Bourguiba and/or Ben Ali regimes. It describes a host of organisations that felt paralysed as the new “rules of the game” were blurred and as a range of actors attempted to ascertain just how “conservative” post-revolution Tunisian society really was. The second section looks to the newer organisations formed as a result of the loosening of the laws of association, including their perceived expectations and challenges, as they too operated on indeterminate terrain. Both sets of civil society actors were affected (and responded) in distinct ways in terms of how they interpreted this unfolding environment. The consequences of the opening of the public space would bring fresh opportunities to participate in the design of Tunisia’s new national identity; however, in addition to bringing fresh inclusions to this space, it would also bring new exclusions.

⁴³⁰ Informant 38: Senior expert on environment, bilateral and associational member; Tunis, 6 Mar. 2012 and Mar. 2013.

3. Old actors and new spaces

Before the Tunisia uprising a majority of civil society organisations were the instruments of power of the Ben Ali regime and many were simply perceived as democratic decoration.⁴³¹ Mounir Majoub writes, “In this mode of statist governance, civil society played a relatively timid role...the organisations of civil society were often forced to play a rather symbolic role whereby the essential consisted in the participation of events and sporadic sensitisation of certain groups of the population.”⁴³² After the 2010–2011 uprising, a number of civil society organisations shifted their focus to democratisation, civic education, the election process, and engagement in political advocacy directed toward the various political parties. However, despite the new opportunities afforded by the opening of the public space, the reality for many civil society actors and groups in Tunisia was marked by a heavy inheritance from the former regime capable of putting the brakes on democratisation.⁴³³

With the perception of an immediate change in how business is conducted for the historic organisations in particular, many organisations found themselves on competitive terrain with the newer associations—as they were also required to establish fresh relationships with the new government and to cultivate existing and new donors for financial support. Many civil society organisations had previously adapted to working in their own domain without considerable competition from other organisations. Some were unaccustomed to partnering with organisations or competing alongside similar associations for donor funding. This perception was shared by at least five of the interviewees who had each either acted as previous employees of one of the three HIV/AIDS associations or served as donors.⁴³⁴ For example, during the research interview with Fajr, a woman who recently began working for a German-funded NGO to support transparency in the democratic process and who previously worked for one of the larger historic civil society organisations, she emphasised the challenge of competition between the different organisations. She remarked, “Some [historic associations] were harassed by the political regime under Ben Ali but now they find themselves in a situation where there is no real fear of the political environment but in a

⁴³¹ Le Réseau Euro-méditerranéen des Droits de l’Homme, “Contribution de la Mission,” 3.

⁴³² Majoub, “La Gouvernance Environnementale Démocratique,” 2.

⁴³³ Ibid., 10.

⁴³⁴ Informant numbers: 16, 20, 28, 32 and 34.

much more competitive environment with the newer associations; for many this is a destabilising and new terrain.”⁴³⁵ She further noted that before the uprising they were working in a less than favourable environment, but one in which these organisations knew and understood the “rules”—and with the multiplication of NGOs following Ben Ali’s departure, many of the groups had not been able to adapt as quickly and were not used to working with volunteers (due to past fears of infiltration by government officials). These organisations were now required to evolve rapidly and they were not accustomed to doing this. This view was also shared by Mohammed, a policy adviser from a recently established UN initiative in Tunis, who during the interview stated:

We are in a way faced with a dire reality, there is this division of civil society in Tunisia, and so this is hard to bring them together....We are having a hard time bringing them together under the same action. The organisations now are working in isolation from each other and even if their work is the same there is a resistance to this collaboration.⁴³⁶

The degree of paralysis that affected some of these historic organisations stemmed from two possible factors. The first was the relationship of the civil society organisations to the donors and the overall donor climate following the 2010–2011 uprising. The second was the creeping transformations occurring at the sociocultural level and the subsequent sense of insecurity this brought as both individuals and organisations attempted to gauge the environment they would now manoeuvre in.

Donors in transition

The events of the “Arab Spring,” which featured a swift domino effect of uprisings across parts of the Middle East and North Africa, caught many international donors by surprise. Some existing donors cautiously maintained their activities after the Tunisia uprising while waiting to see how events in the wider region would unfold. However, given Tunisia’s positionality between Algeria and Libya—two countries perceived as potentially volatile—many international donors also saw Tunisia as a new opportunity to “support the process of democratic transition.”⁴³⁷ For example in March 2011, the Commissioner for Enlargement and European Neighbourhood Policy committed to doubling the financial aid provided by

⁴³⁵ Informant 32: Programme officer, democracy and civil society capacity building initiative; Tunis, 10 Feb. 2012.

⁴³⁶ Informant 34: Policy adviser, multilateral human rights organisation; Tunis, 15 Feb. 2012.

⁴³⁷ Hibou, Meddeb, and Hamdi, “Tunisia after 14 January,” 17.

the European Commission, with the objective of strengthening civil society and supporting the development of underprivileged regions. Furthermore in April the same year, the European Union announced a pledge of €258 million (US\$355 million as calculated at the end of 2013) between 2011 and 2013.⁴³⁸ Beatrice Hibou, Hamza Meddeb and Mohamed Hamdi point out the haste with which a range of donors made commitments so early after the Arab uprisings, with no real or genuine assessment of the effectiveness of donor policies pursued up until that point. They argue that this:

...Demonstrates a certain confusion among European institutions when confronted with the new situation. More worryingly, it seems that there is a drift to a mere continuation of the policies already being pursued, with a few day-by-day adjustments to cope with future eventualities; and that many of the announcements presented as support for the 'new Tunisia' are in actual fact the (new) presentation of previous commitments already ratified.⁴³⁹

In addition, following the elections in October 2011, several newer donors arrived in Tunisia—some with no experience of working in the country and with no clear strategies or mandates. Some former donors, however, waited to recommence activities in Tunisia for when “the transition ended.” So while there were newer donors coming into Tunisia, there was also the perception that the traditional international donors were paralysed, including the multilateral donors who seemed to have adopted a “let’s wait and see” approach. In the research interview with Dr Saqib, the director of a UN initiative established in Tunis after the Tunisia uprising, he stated, “Many are waiting to see what happens at the end of the transition period....This reluctance among donors to engage is not helping, because mainly if you are looking to see a strong democratic presence these organisations must be engaged...at the moment there is no funding.”⁴⁴⁰ Moreover, the experience of another informant, Tawfiq, a programme manager and medical doctor with an HIV/AIDS organisation in Sfax, also highlighted the challenge of an indeterminate donor climate. He said, “The environment is favourable for associations but the main problems now are the economy and financing, especially with a very weak state....The associations look to the

⁴³⁸ Hibou, Meddeb, and Hamdi, “Tunisia after 14 January,” 17.

⁴³⁹ Ibid.

⁴⁴⁰ Informant 34: Director, multilateral human rights organisation; Tunis, 15 Feb. 2012.

state to give but the state cannot give a budget to associations when it is in economic crisis.”⁴⁴¹

After the Tunisia uprising, the amendments to the laws of association also stipulated changes in the regulation of the financing of civil society organisations. This followed a previously constrained environment in which the international donors operated during the Ben Ali regime. Kristina Kausch in “Foreign Funding in Post-Revolution Tunisia” claims, “Before the uprisings, Tunisia had not been a favourite destination for international donors due to both its narrow strategic significance and the limited impact potential in a heavily repressive political environment.”⁴⁴² Decree-law 88 of 24 September 2011 however permitted associations to receive membership fees, public subsidies, and financial and material donations, including from foreign countries. In addition, the Tunisian state was obligated to set aside an unspecified amount of funding to NGOs, even though it has been argued that this funding was minimal.⁴⁴³ More importantly, from 2011, donations to civil society organisations, including foreign donations, required no prior approval by the government.

An additional factor responsible for inhibiting the historic organisations was that many had evolved over time from activists to providers of services. This can be attributed to the decline of the social contract under Ben Ali and the functionalist role assigned to civil society through neoliberal policies adopted by the regime. This contributed to the sense of destabilisation and hesitation some of the historic organisations experienced in not only being able to solicit support from new donors, but also in articulating the specific direction their organisation would take after 2011. During the research interview with Kareem, who served as a volunteer and eventual consultant with one of the HIV organisations based in Tunis, he stated:

NGOs now are mainly the providers and deliverers of services rather than involved in advocacy....They are losing their ability to do this kind of work because they are so busy delivering services...if they continue only to deliver services they will lose the

⁴⁴¹ Informant 31: Programme manager and medical doctor, HIV/AIDS and harm reduction association; Sfax, 9 Feb. 2012.

⁴⁴² Kausch, “‘Foreign Funding’ in Post-Revolution Tunisia,” 2.

⁴⁴³ Ibid., 3.

place they have gained next to the government. They need to learn to do this advocacy again.⁴⁴⁴

Conflicting priorities, contentious visions

The Arab uprisings not only brought political regime change across a number of countries in the Middle East and North Africa, it also carried with it a tide of sociocultural change with disparate attitudes and behaviours rising to the very visible surface. One informant for the research, Radi, an activist and sociologist based in Sfax who undertook a series of HIV bio-behavioural surveys across Tunisia, noted, “The major issues now are not just Tunisia’s issues, but larger regional issues concerning the liberals and the conservatives, happening all around us, and this has a big effect on what we do.”⁴⁴⁵ What were also actual and what were perceived changes across this terrain forced some of the historic civil society organisations to revert back to strategies of caution, discretion and invisibility—strategies which served them well under the Ben Ali regime.

During periods of sociopolitical turmoil, the changes taking place at the political level can often overshadow the rapid transformations occurring at the sociocultural level. Rikke Haugbolle and Francesco Cavatorta describe a revival of the practices of Islam in Tunisia that began more explicitly in the early 2000s as a rejection of the practice under both Bourguiba and Ben Ali of excluding Islam from public life. They explained, “Since public space was monopolised by the regime, there was a greater emphasis on personal morality and comportment....Crucially, pious Tunisians also became more involved in public activism, which was perceived as...an ethical choice implicitly condemning the regime as unethical.”⁴⁴⁶ The revival at the sociocultural level deepened further after the revolution as individuals and communities were able to overtly condemn the corruption and immorality associated with the Ben Ali regime.

The combined challenges of a broken post-revolution economy (and global economic crisis), disrupted state systems and infrastructure, uncertain donor commitment and mounting (more flagrant) “conservative” attitudes that were not always favourable towards

⁴⁴⁴ Informant 28: Project coordinator, multilateral development organisation; Tunis, 1 Feb. 2012.

⁴⁴⁵ Informant 30: Academic, HIV and Gender; Tunis, 7 Feb. 2012.

⁴⁴⁶ Haugbolle and Cavatorta, “Beyond Ghannouchi.”

marginalised groups and minorities, sharply marked expectations for the post-revolution period in Tunisia. Of immediate concern to the historic organisations working in for example HIV/AIDS and for those who were largely dependent upon the support of the government (i.e., for treatment of HIV, including procurement of necessary drugs), was whether or not the gains they made in effectively reaching most at-risk populations could be maintained, and if the work to date could be sustained amid a multiplicity of governmental and donor priorities in the transition and post-revolution context. One interviewee for the research, Kader, who worked as the supervisor of key populations and outreach workers for one of the HIV/AIDS organisations in Tunis, spoke of how the dilemma of both not having assured funding from his group's primary donor, the Global Fund, after 2013, and of no immediate signs of commitment from the newly elected government, left the work of his organisation in a precarious position. He noted, "This is a real problem and so far it is not a priority for the state to take forward this work; sustaining this work is going to be very difficult."⁴⁴⁷ This perception was also shared by another informant, Ouroub, a country officer for one of the UN offices in Tunis, who stated, "It will be more difficult than before. We could say before 'we have a public health problem' but now all that work done before has to be redone. They (the government) might surely have other priorities. It is a worry. We hope to be able to convince them but there is now a predominance for the conservative."⁴⁴⁸

This concern over the future of working with marginalised groups affected by HIV in Tunisia also trickled over to international donors and regional multilateral organisations who shared the pessimism of some of their civil society colleagues. Of the donors who spoke of future HIV-specific interventions in Tunisia for the research, five were explicit about concerns over the priority HIV would have with the new government, in comparison to other post-revolution transition priorities.⁴⁴⁹ For example, one of the informants for the research, Dr Hajjar, a leading HIV/AIDS activist and former director of one of the largest UN led HIV/AIDS programmes in the Middle East and North Africa, observed the following:

⁴⁴⁷ Informant 26: Supervisor of key populations and outreach workers, HIV/AIDS association and founder of *Damj*; Tunis, 30 Jan. 2012.

⁴⁴⁸ Informant 20: Country officer, multilateral development organisation; Tunis, 16 Jan. 2012 and 13 Mar. 2013.

⁴⁴⁹ Informant numbers: 17, 20, 28, 52 and 55.

I am not at all optimistic for the next few years. The whole political context with the Arab Spring has meant that, of course, HIV/AIDS is no longer a priority. AIDS is not a priority now on anybody's agenda and I would even have trouble getting anyone to talk about HIV. In addition, there is almost no more funding, there is less and less now and this has had an impact on everyone's work.... There are also new political players now in all of these governments and they have no clue on HIV, so we almost have to start from scratch again!...But the UN no longer has the luxury to go to the government to speak about HIV as a priority. This is why I am not optimistic, it is not easy.⁴⁵⁰

So in effect, the historic organisations working in HIV/AIDS became increasingly cognisant that their work would no longer feature because as an initial priority, donors might be more interested in securing big "public" wins to satisfy constituents at home rather than over perceived peripheral issues such as HIV/AIDS. Second, with an uncertain sociocultural terrain the government would no longer necessarily be in a position to visibly fund more contentious work in an increasingly divided society. The secular historic civil society organisations perceived the divergence as situated directly between the conservative "extreme" right and the secular (at times equally as extreme) left. For example, the supervisor of outreach work with key populations interviewed for the research, Kader, posited, "The opening will come but Tunisian society will divide itself between the progressives and the conservatives who are very closed. The Salafists here are now really showing their power but the progressives are also trying to show that they have this power" (referring to the demonstration for freedom of expression in which 8,000 Tunisians participated on 27 January 2012).⁴⁵¹ This implicit pessimism for post-revolution Tunisia was also underscored by Mohid, a person living with HIV, who engaged in outreach work in affected communities across Tunis. During the interview she expressed her doubtful expectations for the future yet nevertheless re-emphasised her commitment to the work. She said, "I see a degradation in the behaviour of the people here," noting as well that because people living with HIV continue to call up her and need her help every day, "these needs are not decreasing at all."⁴⁵² Finally, in a research interview with Dr Malik, the executive director of one of the associations working in HIV/AIDS in Tunis, he remarked:

⁴⁵⁰ Informant 55: Former director, multilateral development and HIV organisation; telephone interview, 10 May 2012.

⁴⁵¹ Informant 26: Supervisor of key populations and outreach workers, HIV/AIDS association and founder of *Damj*; Tunis, 30 Jan. 2012.

⁴⁵² Informant 24: PLHIV representative and PLHIV, HIV/AIDS association; Tunis, 24 Jan. 2012 and 7 Mar. 2013.

To see one's own country regress several centuries in just a few months is very difficult. This is going to take time....When you have such a large number of people living in poverty, they are not really free. This level of poverty and the choices people will make in this situation will not lead to genuine democracy....Ennahda has the money and they have lies...in the name of God.⁴⁵³

Not only was there a polarisation between the secular elements of the population and the Islamists, but emotions were also divided between the euphoria of being able to bring down a dictator and fear over how the country would be governed in the future. Dr Malik further observed:

Religion has become the most important—and this understanding of religion is an obstacle for HIV/AIDS. If the government were now secular it would be much easier...I predict that our work will not be very easy. Not because of the government but because of the people. Before, it was enough to be correct with a certain number of people; we were tolerated. Now, it is less obvious...there is an intolerance which is being manifested.⁴⁵⁴

The civil society organisations established before the Tunisia uprising in 2010–2011 faced challenges that many of the newer organisations would likely be spared. In particular, the historic organisations previously manoeuvred in a comparatively constrained public space—they either learned to adapt to the rules of the game or risked encounters with the full weight of the security apparatus often intolerant to perceived opposition. These organisations also operated during a time in which Islamist associations and overt Islam as a political discourse was largely restricted. Therefore, the public terrain was relatively isolated from competing views and counter discourses. Following the Tunisia uprising, the historic civil society organisations stood in a problematical position as they inadvertently continued to apply the same strategies they used under Ben Ali of discretion and invisibility while they waited for the nature of the post-revolution topography to reveal itself. As the newer civil society organisations emerged to claim both old and new spaces, the historic associations appeared to be at a clear disadvantage based largely on the political residue they inherited. However, among many of the historic civil society organisations there was a discernible acceptance that with the complete rupture from decades of repressive authoritarian rule, genuine political liberalisation would take time. Many were experienced activists who aspired for a higher standard of democracy in Tunisia following the uprising. During the

⁴⁵³ Informant 18: Executive director, HIV/AIDS association; Tunis, 13 Jan. 2012 and 5 Mar. 2013.

⁴⁵⁴ Informant 18: Executive director, HIV/AIDS association; Tunis, 13 Jan. 2012 and 5 Mar. 2013.

research interview with Nasser, the supervisor of peer education with one of the HIV/AIDS associations, he said, “But eventually this will lead us to something more democratic and real. It’s a long process, but this is our process.”⁴⁵⁵

4. The emergence of the new

Tunisia not only experienced an almost total re-composition of civil society actors, but also individuals and groups were genuinely trying to set up a system of local democracy. Many new associations focused on national solidarity and mobilising citizens; moreover, they were not waiting for the state to determine their role. In fact, there was a sense of urgency to this work. One of the research interviewees, Soraya, a woman who helped to create an association in Kef (a deprived region of Tunisia), said that her group organised meetings in her garage since it first received its associational visa.⁴⁵⁶ Following the uprising, she spent most of her time in Tunis attending civil society strengthening workshops and training meetings. Several of the newer associations were involved in citizen mobilisation and the promotion of democracy. The newer associations also engaged in service provision and social welfare/humanitarian initiatives both within Tunis and in the poorer regions outside of the major urban areas. Moreover, many of these organisations preferred to remain *hors politique* and non-conflictual, in part given the inherited residue from the approach to associations by the former regime.

This section examines more in-depth the effect of the opening of the public space, namely the environment for civil society organisations to manoeuvre, immediately following the Tunisia uprising. The research focused on three new organisations that acquired their associational visa after January 2011: *Al Madanya*, *Femmes et Citoyenneté*, and *L’Association de Recherches sur la Démocratie et le Développement*. It includes the perceptions and expectations of these newer organisations following the downfall of the Ben Ali regime. Subsequently, this section also presents some of the key identified issues and challenges for the newer organisations, including significant capacity and skills gaps as

⁴⁵⁵ Informant 25: Supervisor of peer educators and outreach worker, HIV/AIDS organisation and founder of *Damj*; Tunis, 27 Jan. 2012 and 14 Mar. 2013.

⁴⁵⁶ Informant 47: Programme coordinator, women’s rights association; Tunis, 22 Mar. 2012.

well as the relatively recent emergence of a counter-public in Tunisia's expanding public spaces. Finally, in reflecting back to similar liberalisation and expansion measures implemented immediately after Ben Ali assumed the presidency in 1987, was this post-revolution period in Tunisia to be marked by a similar rapid expansion, followed by a sharp contraction in the face of opposition and division? Or was the spirit of *citoyenneté* embodied in many Tunisians during this period, to remain a permanent feature of Tunisia's public spaces?

Citoyenneté in practice

The three organisations could be characterised as secular-liberal organisations. They were created in the immediate post-revolution environment and, approximately one year after the revolution, were still in the process of refining their strategic objectives, in particular how their work would sit in relation to the newly elected government. Similar to the historic associations, the newer civil society organisations also situated conflicts within civil society between their envisioned activities and what they perceived as the mounting political as well as sociocultural conservative discourses. As can be observed from the research interviews, some civil society actors were antagonistic to emerging counter-publics that were Islamist, while others accepted with reluctance that the new public space was by its nature contentious with varied ideologies and perceptions of how post-revolution Tunisia should be modelled.

Al Madanya:

The association *Al Madanya* was established immediately after the revolution by Uday and his brother. During the research interview, Uday explained that he had previously lived in the United States in Florida and worked in business management (trade in textiles from Morocco and Tunisia) for over ten years. After the uprising in 2010 he returned to Tunisia to become more engaged in his country following the departure of the Ben Ali regime. He remarked that he and his brother had always wanted to establish a similar kind of organisation, but "had no interest in engaging in the Ben Ali system."⁴⁵⁷ Despite their admitted lack of experience in humanitarian development, Uday and his brother travelled throughout Tunisia to conduct an informal needs assessment of lower-income communities outside of Tunis. Based on the needs assessment they developed the ideas and priorities for

⁴⁵⁷ Informant 33: Co-Director, development association; Tunis, 13 Feb. 2012.

their organisation such as helping unemployed young people qualify for their driving license (as this is something still quite expensive and the lack of which prevents many people from qualifying for employment), a skills transfer programme in agriculture, and a cultural heritage programme with a website for all the different sections across Tunisia. The aim was to support and reinforce the sociocultural aspects they felt were lost over the last few decades in Tunisia. Uday remarked in the interview that he was hoping this work would in fact make people's daily lives easier. Although Uday continued some of his work in business management, his humanitarian work in Tunisia following the uprising was what he considered his full-time employment. As he and his brother were "well-connected" to the business community both inside and outside of Tunisia they were able to rely on financial donations from diaspora overseas. At the time of the interview they had also been able to acquire some funding from the United States, Germany, and Scandinavian countries.

When I interviewed Uday little over one year after the revolution, he and his organisation had already been able to sign an agreement to support the transport costs for young people to attend school in rural areas outside Tunis with the Ministry of Development for their work. I was conscious that the historic organisations working in HIV/AIDS had not had this opportunity to meet with the new members of government at the time. I asked Uday if *Al Madanya* had been reaching out to some of the other humanitarian development associations working now in Tunisia since the revolution. He acknowledged that some of these organisations wanted to work with them because they have been able to acquire funding; however, he perceived there was a significant amount of competition already among the newer organisations. He said, "There is already a lot of competition and I perceive that these organisations want more power....There are problems with bureaucracy and many people are still perceiving NGOs as political entities."⁴⁵⁸ He went on to add that many organisations were created with humanitarian aims but then as the political parties became officially created and more organised, the political parties would "use their people" to set up NGOs or work through the NGOs to be more visible in communities. I asked him how they were being received in the different communities they worked in. He explained

⁴⁵⁸ Informant 33: Co-Director, development association; Tunis, 13 Feb. 2012.

that overall the communities were very positive because of the need to improve the available services there—such as transport to schools for their children.

Femmes et Citoyenneté:

What began as a book club between women soon transformed into an organisation to support greater rights for women in Tunisia based on the spirit of helping others. *Femmes et Citoyenneté* received its associational visa in April 2011 and immediately began providing support to lower-income communities in Kef (a poorer region in the country's North-West), in particular to women who had suffered domestic violence, individuals affected by the heavy snowfall and floods in that region in 2011–2012, and communities in need during Eid al-Fitr. Nevertheless, supporting the greater rights of women was the primary focus of the organisation. Soraya, one of the officers of the organisation, explained during the interview for the research that the association felt the rights of women were threatened following the revolution and that the issue of equality was very important during this transitional phase for Tunisia. She stated, “We are really balancing on the line of inequality at the moment...we feel seriously threatened.”⁴⁵⁹ I interviewed Soraya, whose mother established the organisation, together with her younger sister who was applying to university at the time, at a busy cafe in Tunis on Avenue Bourguiba. They stressed that the issue of the rights of women was paramount to them as the younger sister claimed, “There is this risk that extremists could take away our rights and we have never had this or experienced this here.” Soraya followed on her sister's words, acknowledging that with democracy she should be tolerant of all views and extremism but adding that she refused to be “threatened verbally or physically, this is not democracy.”⁴⁶⁰

Only two weeks before I interviewed Soraya and her sister, the organisation's headquarters were based in their home garage. They had since acquired an office in Kef. Soraya explained that the association had a horizontal structure and that through this they tried to exercise democracy and democratic principles throughout their organisation—“Everything we do is put to a vote.”⁴⁶¹ They remarked that they had a good relationship with the other organisations and that network associations were being created to allow smaller

⁴⁵⁹ Informant 47: Programme coordinator, women's rights association; Tunis, 22 Mar. 2012.

⁴⁶⁰ Informant 47: Programme coordinator, women's rights association; Tunis, 22 Mar. 2012.

⁴⁶¹ Informant 47: Programme coordinator, women's rights association; Tunis, 22 Mar. 2012.

organisations to become stronger. Soraya noted during the research interview that increasingly they were becoming connected with other organisations doing similar work and that the Internet helped them to find out what is going on, stating, “Word of mouth is essential at the moment.” They were primarily working on issues concerning violence against women, the incarceration of women, leadership and training for women from low-income environments, and microcredit projects for young people out of school. One of the main goals for the organisation was to create an area for women who had suffered domestic violence to have a safe space as well as services for psychological follow-up with the women, children, and their spouses. They also explained that they had recently acquired funding from the Spanish and German bilateral institutions to fund some of their organisational activities. In addition, alongside initiatives to support the rights of women, *Femmes et Citoyenneté* organised smaller activities such as a recent collection of books and school supplies and clothes for poorer areas in Kef. Soraya stated, “We put up posters to mobilise people and everyone became engaged. There was no resistance to our activities; where there is a will one can find all means to succeed, and this can be done without a lot of money.”⁴⁶²

L’Association de Recherches sur la Démocratie et le Développement (ARDD):

ARDD was established immediately after the Tunisia uprising in February 2011. For the research I interviewed Ghilzlan, one of the founders of the organisation. She explained at the outset of our interview, “We all lived the revolution and cried out for our dignity and liberty, as we engaged ourselves then in the future of our country. We suffered years under the family of Ben Ali as they betrayed the social and political objectives of the country.”⁴⁶³ Ghilzlan and her colleagues established the association with the aim of wanting to open the consciousness of individuals and to expand opportunities for them in what she considered a period of emergency for the country. Of the founders, two specialised in economics, one was a human resources expert, and the other was working as an environment specialist for a bilateral organisation. Early in the life of the organisation they held a conference on the “democratic transition.” She said that from here their work intensified as people started to become more and more aware of the repression applied under the former regime. She described how during her former humanitarian work before the uprising the police often

⁴⁶² Informant 47: Programme coordinator, women’s rights association; Tunis, 22 Mar. 2012.

⁴⁶³ Informant 53: Secretary general, democracy and human rights association; Tunis, 3 Apr. 2012.

visited her as her work was thought to tread on political areas. Now she believes, “It is necessary that civil society is present in all of these domains, that they are present in all of these institutions so that finally things change.”⁴⁶⁴

ARDD also organised events on “the media and the revolution,” “the environment and the revolution,” and the rights of women, each of which involved a series of roundtable discussions with different experts from political and civil society. The organisation also prioritised work with young people, in particular on how they themselves perceived the aftermath of the uprising was unfolding. ARDD also held a seminar on the “issue of Islamists” following the October 2011 elections. Ghilzlan acknowledged, “Now we learn we will have to live together. As a woman I felt threatened in my personal as well as associational life, as all this now comes into the public life....Even if the results of the elections are not what I wanted, I also do not want to lose my liberty, we feel a bit cornered at the moment.”⁴⁶⁵ She raised the issue that the CPS was at risk in Tunisia, and gave the example of emerging debates on temporary marriage at the time, noting, “We are seeing things we have never seen here before. Religion is something personal that no one can oblige of the other.”⁴⁶⁶ Despite her personal feelings concerning Islam, Ghilzlan acknowledged that the Islamists suffered enormously under the former regime. She passionately declared during the interview, “No to repression, no to making judgements of them; yes to freedom and the diversity of opinion!” In what she considered “*l’apprentissage de la démocratie*” she expressed, “We are learning to live together.” ARDD has since organised roundtables to bring together Islamists and oppositional political figures to discuss emerging issues for the transition from authoritarian rule in Tunisia. Despite her and the organisation’s general efforts towards inclusion she remarked, “It is a mutual and reciprocal apprenticeship but I am from the left—yes to the separation of the state from religion!”⁴⁶⁷

A majority of the informants from the newer organisations (including the three above examples) expressed a remarkable enthusiasm to be able to engage fully in the expanding

⁴⁶⁴ Informant 53: Secretary general, democracy and human rights association; Tunis, 3 Apr. 2012.

⁴⁶⁵ Informant 53: Secretary general, democracy and human rights association; Tunis, 3 Apr. 2012.

⁴⁶⁶ Informant 53: Secretary general, democracy and human rights association; Tunis, 3 Apr. 2012.

⁴⁶⁷ Informant 53: Secretary general, democracy and human rights association; Tunis, 3 Apr. 2012.

public space, as well as a sense of urgency and conviction to the work they were doing.⁴⁶⁸ The objectives of the organisations, while not entirely clear or strategic, in one way or another evolved around the shaping of a better, more inclusive, and supportive environment, in particular for many marginalised and deprived groups living across Tunisia. Throughout the interviews with the newer organisations, the role of the state was rarely discussed, as it appeared that post-uprising civil society sought to vigilantly protect itself from the intrusions of the state. The research points to the self-management and self-organisation agendas explicit in Baker's description of the new Latin American left with the notion of the "defence of freedom from outside the state" present during the social movements across Eastern Europe and Latin America. The research also brings into relief a set of civil society actors filling the social contract the state was arguably not able to provide during the transition from authoritarian rule. Finally, several of the interviewees for the research suggested a "civil society utopia" with a strong underlying normative suggestion that at the least the post-revolution public space would be a domain of solidarity, voluntarism, and altruism.

Following the Tunisia uprising, some members of civil society were also relatively antagonistic to newer emerging counter-publics representing disparate ideologies and visions for the emerging public space. Five of the eight interviewees among newer associations expressed degrees of concern or opposition with regard to Islamist organisations also manoeuvring within public spaces (this will be further explored in Chapter V). At the same time many of these actors expressed reluctance to sharing new spaces with organisations whose visions and objectives were perceived as disparate to their own. This point was stressed during a research interview with Muammar, an online media journalist, who remarked that 2011 was a good time to "push the agenda." He further observed, "Everything is changing really fast and for those who manage to occupy that space first, after that it's hard to keep them out. There will be more difficult times for the liberals here in Tunisia as they are not organised politically at all and they are not infiltrating the organisations which are active."⁴⁶⁹

⁴⁶⁸ Informant numbers: 33, 38, 43, 47, 49, 51 and 53 (a total of 8 individuals working with newer associations were interviewed for the research).

⁴⁶⁹ Informant 27: Co-founder and journalist, English news website/media; Tunis, 30 Jan. 2012.

Emerging issues for the newer associations: freedom from the state?

While one could argue that civil society, and the newer organisations in particular, operated within a climate of relative freedom following the 2010–2011 uprising, they also began to encounter challenges. These challenges were compounded by fragile state infrastructure, a crippled economy, and political deadlock aggravated by in-fighting among the political parties. Apart from these extemporaneous factors, however, civil society was also impacted by the indeterminacy of the transition itself that affected some organisations' ability to mobilise resources from private, regional, or international donors. More importantly, newer civil society organisations had to evolve from a singular or insular focus on democratisation to more strategic longer-term objectives for their organisational activity. The synthesis mapping conducted by the European Union indicated that many of the organisations were at a rudimentary stage of development with few members, reduced capacity in financial and human resources, a lack of strategic vision of their role, and limitations in achieving sustainability in their work.⁴⁷⁰ A number of organisations were created to respond to the precise needs of the transition from authoritarian rule such as the fostering of citizen engagement, monitoring the election process, and participation in the development of the new constitution. However, it was only recently that civil society organisations began to shift their focus to further engagement in economic and humanitarian development activities.⁴⁷¹

The two core challenges for the newer civil society organisations were issues associated with organisational capacity and a lack of experience, both of which were perceived to exacerbate susceptibility to political co-optation and instrumentalisation. During the research interview with Fajr, who was formerly a member of a larger historic association and who was working with a new German-funded democracy strengthening initiative following the Tunisia uprising, she underscored the perception that the newer organisations held a relatively narrow focus at the outset. She opined that the newer NGOs were inexperienced structurally and strategically and stated as well:

⁴⁷⁰ Union Européenne, "Rapport de Diagnostic," 12.

⁴⁷¹ Le Réseau Euro-méditerranéen des Droits de l'Homme, "Contribution de la Mission," Majoub, "La Gouvernance Environnementale Démocratique," and Union Européenne, "Rapport de Diagnostic," 12.

Before the elections all the interest was focused on the first democratic elections in Tunisia but this was time limited and everyone could rally and focus on this. And now they are having to think much more long term and they see they do not have the capacities necessary or the strategic vision....Everyone is still in the post-revolutionary euphoria...we are only just planning now.⁴⁷²

Some attributed the lack of capacity and strategic vision to the residue of the former regime, during which period many NGOs were dependent on financing from various embassies and bilateral donors. One interviewee for the research, Dr Saquib, the director of a recently established UN initiative in Tunisia, remarked:

The strategic skills required for obtaining and managing funds with both the NGOs of before and now are not strong—and this inability to reach out to donors is a consequence of severe repression under the Ben Ali regime. This is the nature that 95 percent of the NGOs are currently operating in. All of them are badly in need of capacity building. They are also badly in need of internal democracy building as they are used to being a one man or one woman show....The civil society organisations have no experience in capacity building and therefore this spirit of volunteerism ends with the distribution of services and material items.⁴⁷³

One additional area of contention for the newer organisations as well as the historic associations was in determining the role of the state in social welfare and humanitarian development—in particular as Tunisia was undergoing an economic crisis. The remarkable spirit of volunteerism that emerged after the revolution overshadowed the necessity for the state also to redefine its role. For example, in February 2012 the North-West region of Tunisia—a relatively deprived region—experienced unusual degrees of heavy snowfall whereby entire communities were left without food, water, or heating; a host of associations rushed to deliver aid to these communities before the state could act. During the research interview, Fajr expressed frustration that the newer organisations appeared to be led by emotion rather than to be pursuing a more long-term vision for social welfare and humanitarian development. She argued:

At the moment the NGOs should be advocating that the state takes on its proper function and roles with regard to social services, but instead it's the NGOs themselves taking on these services; and this is not a stable situation or sustainable.

⁴⁷² Informant 32: Programme officer, democracy and civil society capacity building association; Tunis, 10 Feb. 2012.

⁴⁷³ Informant 34: Director, multilateral human rights organisation; Tunis, 15 Feb. 2012.

They seem to be directed by emotions at the moment....The NGOs are supporting these communities [in the North-West] rather than pressuring the state to act.⁴⁷⁴

However, given the historical residue left on civil society by the Bourguiba and Ben Ali regimes, it was perhaps understandable that the newer organisations in particular would be pursuing self-management agendas, and would not be waiting for the state to act. The experience of another informant for the research, Najeeb, an employee of a bilateral organisation and civil society member, underscored the rationale underneath the approach of the newer organisations. He sympathised with the seemingly haphazard approach the associations seemed to be taking, noting for example:

The country lived under the total control of the state—a centralised state—and during this period the “local collectivity” or associational actors had no authority *or* autonomy of resources...they were primarily there to accompany the action of the government and of the party [RCD]. It was a relation of subordination. These associations could not organise themselves without permission from the state previously.⁴⁷⁵

Therefore, given the tangible remains of repression, one comprehends the subjective desire for civil society to act autonomously, as well as its caution toward both state institutions and Ennahda in the expanding post-uprising public space. In the two years subsequent to the downfall of the Ben Ali regime, Tunisia was on course for the incorporation and, moreover, acceptance of two parallel systems in which the state and civil society would act independently from one another.

The sudden emergence of a new and vibrant civil society immediately following the 2010–2011 uprising highlighted the dynamic spirit of volunteerism and *citoyenneté* embodied deep within Tunisians despite decades of repression under authoritarian rule. During the interview, the director of *Al Madanya* observed, “In a way, it was a huge step for the NGOs to come forward and be able to overcome these historical precedents and barriers to their participation.”⁴⁷⁶ Nevertheless, the newer organisations were also beginning to encounter challenges of their own, those which were both endogenous and exogenous to their

⁴⁷⁴ Informant 32: Programme officer, democracy and civil society capacity building association; Tunis, 10 Feb. 2012.

⁴⁷⁵ Informant 38: Senior expert on environment, bilateral and associational member; Tunis, 6 Mar. 2012 and Mar. 2013.

⁴⁷⁶ Informant 33: Co-Director, development association; Tunis, 13 Feb. 2012.

organisations. Internally, they had to adapt their core activities to more realistic expectations beyond strategies of hyper-visibility for activities such as citizen mobilisation for elections and monitoring of the National Constituent Assembly. They also had to reflect strategically on how to engage both domestic and international donors in a competitive and uncertain transition climate, as well as anticipate organisational capacity needs. Externally, the newer associations had to manoeuvre within the context of fragile state institutions, a delicate economic landscape, and in-fighting between secular and Islamist political parties. Overall, a number of civil society actors interviewed for the research accepted that democratisation could take time and that many uncomfortable debates and contestations would, by necessity, be had. Many also highlighted in a positive manner that the current landscape for civil society in Tunisia at the time was exceptional, something that could have never been imagined in the previous decades of authoritarian rule. Therefore, they accepted that the transformations occurring in the political as well as public spaces would incur gains and losses, with one respondent noting, *“C’est un processus en cours pour l’instant”*—It is an ongoing process for the moment.⁴⁷⁷

Conclusion

Following the departure of the Ben Ali regime in January 2011, the High Authority instituted measures for political liberalisation that included the expansion of laws permitting political parties to register and amendments to the formal laws of association allowing for the creation of thousands of new civil society organisations. The sociopolitical space had expanded and a range of actors and groups emerged to claim their right to participate in post-uprising Tunisia. From the October 2011 elections in which the political party Ennahda led the transition government through the Islamist-secular coalition the Troika, a host of historic and new civil society actors and groups came to occupy these burgeoning spaces. Moreover, a multitude of views and priorities were tabled for discursive contestation, such as issues concerning freedom of the press and media (or the limits of), issues regarding the status of women, support and recognition of vulnerable but also criminalised populations such as people affected by HIV/AIDS (including sex workers and homosexual communities), and finally, a key symbol of national identity, the Tunisian flag.

⁴⁷⁷Informant 43: Treasurer and former coordinator, urban development association; Tunis, 16 Mar. 2012.

This chapter examined the first core theme of the research, specifically the “illiberal” effects of the opening of the public space(s). In particular it analysed the outcomes of the opening up of Tunisia’s public spaces during the two years following the downfall of an authoritarian regime to determine how conflict is manifested between different civil society actors and groups. It locates the areas over which there is sharp discursive contestation within these expanding public spaces, as well as underscores the consequences of these conflicts on the actors manoeuvring in these spaces. During what could be considered as the “resurrection of civil society” thousands of new civil society organisations were legally created to not only provide support to deprived communities in the different regions of Tunisia, but to also participate in Tunisia’s efforts toward democratisation. The thousands of newer organisations created would also be acting alongside and sharing the same symbolic as well as physical public spaces with Tunisia’s historic civil society organisations, created in the decades prior to the 2010–2011 uprising. Each set of organisations would encounter opportunities and challenges as they endeavoured to ascertain the nature of Tunisia’s expanding public spaces.

The historic civil society organisations, formed prior to the downfall of the regime, encountered challenges that many of the newer associations would likely be spared. For example, after the revolution donor funding from bilateral and multilateral institutions became temporarily uncertain as a result of the regional uprisings and the overall global financial recession. While it was argued a “tsunami” of donors flocked to Tunisia after January 2011, some previously existing donors halted their activities until a more stable political climate could emerge. Alternatively, some newer donors committed to initiatives without perhaps fully comprehending the wider implications of Tunisian’s political inheritance. In addition, the sociocultural terrain became murky as a range of debates and attitudes proliferated, in particular what were conceived as more “conservative” discourses around the future role of Islam in the country. Uncertain financing and a contentious environment contributed to many historic organisations’ sense of paralysis with regard to their former activities in various communities across Tunisia. In addition, these organisations were unaccustomed to competition for resources, having operated in a relatively restricted public space under Ben Ali. Prior to the downfall of the regime, this space was largely modelled based on neoliberal policies that afforded legitimacy to these

organisations as primarily cost-effective providers of services. The consequence for many of the historic civil society organisations would be their incapacity to engage in Tunisia's post-uprising public spaces beyond the provision of social welfare services and support to marginalised communities.

More importantly, before 2011 the historic civil society organisations manoeuvred in a relatively limited public space where the regime was intolerant to perceived opposition. These organisations also operated during a time in which legal Islamist associations and political Islam were restricted. They previously inhabited a space relatively isolated from competing views and counter discourses. After January 2011, some historic civil society organisations, in particular those working with vulnerable communities, faced a dilemma as they inadvertently continued to apply the same strategies discretion and invisibility they used under Ben Ali while they waited for the nature of the post-revolution topography to be further revealed. As the newer organisations charged to the forefront to claim both old and new spaces, the historic associations appeared to be at a clear disadvantage based in part on the political residue they inherited. Accustomed to strategies of discretion and negotiation, some understandably maintained caution as the customary *modus operandi*.

And while one could argue that the newer organisations operated within a more fertile expanding public space, some also began to encounter their own set of challenges. These challenges were only compounded by fragile state infrastructure, a dwindling economy, and political in-fighting between the "liberal" and the "conservative" members of the National Constituent Assembly. Civil society was also impacted by the indeterminacy of the transition period itself affecting some organisations' ability to mobilise resources from private, regional, or international donors. More importantly, civil society organisations had to evolve from a singular or insular focus on democratisation, in large part led by the euphoria of the revolution, to more strategic longer-term objectives for their activities. With many organisations lacking in organisational experience and capacity, developing clear visions and goals in a turbulent environment became problematic. In addition, similar to the historic associations, some of the newer members of civil society situated a conflict between their envisioned activities and mounting political as well as sociocultural "conservative" discourses. Some civil society actors and groups expressed resistance to emerging counter-

publics that were Islamist. Others reluctantly accepted that Tunisia's widening public spaces would be contentious with varied ideologies and perceptions of how post-revolution Tunisia could be modelled.

Finally, the newer civil society organisations in particular exhibited the self-determination and self-management agendas underscored by the new Latin American left in the 1970s and 1980s described in Chapter II. Moreover, following the downfall of the regime these actors came to closely resemble the nature of civil society as understood by Gramsci. Civil society emerged as an entity believing itself capable of restoring agency through self-rule but also in subverting the hegemony of the state. This was most evidenced in the materialisation of the concept of *citoyenneté* reminiscent of the popular upsurges and social movements in Eastern Europe and Latin America in the 1980s. Some of these actors, consequently and perhaps unwittingly, alluded to a civil society utopia free from the state following the uprising, without necessarily acknowledging the limitations of a self-determination agenda. Alternatively, under Ben Ali in particular, the concept of civil society reflected a Hegelian understanding in which the state was ultimately responsible for the ordering of the disharmonies within civil society, and whereby these actors were reliant on the state for their existence. Following the 2010–2011 uprising, the historic civil society organisations carried with them the residue of decades of authoritarian rule, but perhaps more importantly a neoliberal inheritance. Were the “illiberal” battles unfolding in Tunisia's expanding public spaces a result of the incompatibility between these two very disparate ideological understandings and manifestations of civil society?

The opening of space following the downfall of an authoritarian regime can create new opportunities for participation in sociopolitical processes, as well as establish fresh priorities as the state transitions to an uncertain something else. The landscape of the public space is profoundly affected by three factors—the practices and nature of the state prior to the expansion, the different civil society actors and groups inhabiting the spaces prior to the downfall of the regime, and the new actors and organisations that emerge to fill the space thereafter. In answer to the research question, conflict is manifested within civil society when the public space suddenly widens to accommodate a vast range of new actors and disparate, often competing, ideologies. In the case of Tunisia, this space opened following

the amendments to the laws of association in early 2011. However, the residue of authoritarian rule left on the different webs of relationships forged throughout the former regime significantly influenced how these actors responded to change—the disruption and transformation brought by the transition. Having operated within relatively homogenous and constricted public spaces before the uprising, the historic civil society actors in particular found this new terrain unstable and uncertain. Meanwhile, the newer civil society organisations not only had to establish nascent organisations but also decide where to target their post-revolution efforts—to service provision or democratisation—and consider the nature of their relationship to the state. I argue here that there is a tumultuous but definitive period following political liberalisation measures during which actors can take maximum advantages of these expanding spaces, and where the field for discursive contestation is at its widest. The consequence of these new and vast public spaces, and the multiplicity of different conflicts which emerge, can result in an uncivil and illiberal jostling of views, visions, and ideologies. These sites of contestation reveal a crowded terrain of actors, but also give evidence that discursive contestation is indeed taking place.

The next chapter examines the second core theme of the research concerning the emerging sociocultural and socioreligious divisions, including the rise of associational or social Islam following the downfall of the Ben Ali regime in 2011. Following the initial expansion in Tunisia's public spaces, disparate social divisions are made more apparent as the delineation between “us” versus “them” becomes more embedded among the different civil society actors and groups. Over the two years following the Tunisia uprising, further decisions were made concerning which actors would be included and which would be excluded from civil society. The emergence of varying understandings of Islam accompanied by a rise in Islamic associations in Tunisia during this period would become a primary source of these social divisions within civil society.

Chapter V: Rising social division and the emergence of social Islam

They were nowhere and they were, in effect, forbidden to lead their lives and gain a living—they could not be in the media and they could not be in the private sector, they could not be represented anywhere—they were only allowed in small commercial activities. Ben Ali emptied the social and economic structures of the Islamists.

--Association member, Tunis⁴⁷⁸

In 2013, two vocal critics of Ennahda, Chokri Belaid and Mohamed Brahmi, were assassinated within the span of only a few months. Many Tunisians not only considered the assassinations of the two men a direct attack on democratisation, but also a perceived re-manifestation of the residue of authoritarian rule. From the time of the democratic elections in October 2011 to the murder of Belaid just over one year later, increasing intolerance between secular and Islamist viewpoints could be perceived at the political and sociocultural levels in post-uprising Tunisia. The mounting tension between the two sides gave the impression of a country mired in sociopolitical stagnation in the critical phase of the transition from authoritarian rule two years on. John Voll, alluding to the fall of the one-party state in Algeria in the early 1990s and the secularist state of Habib Bourguiba in Tunisia in the 1980s, in a sense foretells the challenge once again facing the region. He writes, “The crisis is not only one of trying to decide which group will control existing structures; the battle is to decide which worldview will define the fundamental structures of the social and political order.”⁴⁷⁹ One outcome of the 2010–2011 Tunisia uprising was that a multitude of unstable and reversible hegemonies gave rise to a host of visible as well as less perceptible publics and counter-publics emerging to fill Tunisia’s new public spaces. The different publics each sought to control the dominant discourse within these spaces increasingly denoting a domain of marginalisation rather than inclusion and solidarity as the term civil society belies.

⁴⁷⁸ Informant 38: Senior expert on environment, bilateral and associational member; Tunis, 6 Mar. 2012 and Mar. 2013.

⁴⁷⁹ Voll, “Sultans, Saints, and Presidents,” 3.

There were two simultaneously occurring processes leaving their mark on the sociopolitical transformations following the Tunisia uprising. The first was a battle for political space and control over hegemonic discourses as Tunisia endeavoured to re-determine the nature of the “modern” state after the revolution. This concerned questions of identity, religion, and the Arab-Muslim nature of the nation.⁴⁸⁰ The second process, and the process with which we are concerned here, was the battle emerging among secular and Islamist civil society actors and groups. These battles mirrored the rivalries and divergences manifesting in the political arena among Ennahda representatives, other members of the National Constituent Assembly, and other oppositional political parties. The conflicts occurring among civil society actors eventually revealed a constrained sociocultural imagination affected by several decades of repression in Tunisia’s public spaces whereby a dedicated campaign to tacitly shift public opinion against the Islamists was applied by the regime. These conflicts also exposed the emergence of a dual discourse in which civil society was discussed in contrast to Islam in Tunisian society. Not long after the 2010–2011 uprising, the opening of Tunisia’s symbolic and physical public spaces uncovered a multitude of different civil society actors with disparate aims and priorities—some of these groups would embody the spirit of volunteerism and *citoyenneté*, while others, including both secular and Islamist actors, would demonstrate tendencies toward intolerance and exclusion in the name of democracy.

This chapter examines the second core theme of the research, namely the emerging sociocultural and socioreligious divisions, including the rise of associational or social Islam following the downfall of the Ben Ali regime in 2011. It analyses in more depth the emerging conflicts and divisions between the secular and Islamist actors and groups to further determine how conflict is manifested within and among civil society. Drawing on field research, it continues to map the areas where this conflict materialises and analyses the consequences of these contestations for both these actors as well as on democratisation in Tunisia following the 2010–2011 uprising. Therefore, the chapter begins by briefly detailing the emergence of Salafism in Tunisia and the historical approach of the Ben Ali regime to Islamist opposition, namely the *Mouvement de la Tendance Islamique* (MTI) that eventually evolved into the Ennahda party in 1989. This context, in conjunction with the historical

⁴⁸⁰ Ghorbal, *Orphelins de Bourguiba*, 9.

materials from Chapter III, demonstrates how over several decades the regime endeavoured to detach Islam from the public imagination. Second, the chapter examines the different civil society actors manoeuvring in Tunisia's public spaces following the uprising—for example, Islamists who were denied the opportunity to engage in legal civil society organisations under Ben Ali who now chose to participate in the momentum of post-uprising Tunisia. Finally, it looks to the key matters of conflict and contestation between Islamist and secular organisations, as well as to the reactions from organisations operating on the periphery with marginalised and vulnerable groups to new actors inhabiting these spaces.

In this chapter, I demonstrate that civil society became more contentious and conflictual following the initial expansion of Tunisia's public spaces and during the two years following the downfall of the Ben Ali regime as a result of two core factors. First, civil society became more divided during this period based on the sociopolitical residue it inherited from the Bourguiba and Ben Ali regimes, during which civil society was both constructed in opposition to Islam and operated in a relatively constrained public space for several decades. Second, civil society became more contested across its different elements as a rush of new actors filled the public space—these actors were secular and Islamist, embodying often vastly different visions and ideologies for post-revolution Tunisia. As the stakes for shaping Tunisia's national identity intensified, the conflicts within civil society not only reinforced social divisions but also legitimised exclusions in the name of democracy.

1. The making of a counter-public

In the run up to and following the social protests in the Middle East and North Africa in 2010 and across 2011, Islamists were not the primary force behind the demonstrations. According to Jane Kinninmont, "They were not absent but rather constituted just a part of the much broader social and political coalition that came onto the streets to demand political change."⁴⁸¹ Nevertheless, due to decades of visible and invisible political

⁴⁸¹ Kinninmont, "The Next Fight will be Among Islamists," and Willis, *Politics and Power*, 195.

manoeuvring and organisation, Islamist organisations and political parties were able to mobilise mass support in Tunisia to eventually gain the political majority in the elections after the uprising. Historically the path of political Islam in Tunisia was met routinely with contestation by the government. Accompanying each rise in public support for the Islamist agenda was repression, including imprisonment, torture, exile, and a comprehensive political campaign to turn public opinion against Islamists across different levels of society. Aziz Al-Azmeh explains that the eventual means by which the notion civil society was used by state and non-state intelligentsia was related directly to the rise of Islamism. In Tunisia, the notion of civil society increasingly became applied as an exclusionary term, which by 1989 directly marginalised political Islam on the grounds that it was “at variance with national civil consensus.”⁴⁸²

The revival of Islam in Tunisia

Subsequent to and perhaps in conjunction with post-independence and pro-nationalist movements, Islamists movements began to play the principal oppositional role across North Africa in Morocco, Tunisia, and Algeria. In each of these countries Islam represented what Michael Willis considers “the most significant political challenge” the three regimes encountered since independence given the ability of Islamist organisations to mobilise the population, in particular marginalised and deprived groups, across each country.⁴⁸³ Two main factors account for the rise in popularity of Islam following independence movements in North Africa. The first was the concurrent emergence of *Salafiyyah* or Salafi movements in the nineteenth and twentieth centuries, with prominent Islamist thinkers such as Mohammed Abdu visiting Algeria and Tunisia during this period.⁴⁸⁴ Salafist ideas at the time represented a return to the teachings of Islam to address European colonialism. Willis says they “provided a vital ideological and organisational strand to the anti-colonial movement in both countries.”⁴⁸⁵ Furthermore, many of the Islamist movements in the Maghreb were strongly influenced by the model and practices of the Muslim Brotherhood in Egypt. Salafi movements rose in response to both external antagonism and perceived threats to local culture and beliefs.⁴⁸⁶

⁴⁸² Al-Azmeh, “Populism Contre Democracy,” 122–123.

⁴⁸³ Willis, *Politics and Power*, 155.

⁴⁸⁴ Ibid., 156.

⁴⁸⁵ Ibid.

⁴⁸⁶ Entelis, *Islam, Democracy and the State in North Africa*, xiv.

The second factor responsible for the emergence of Islamist movements simultaneously with post-independence movements was the ambition and extent to which the Bourguiba regime sought to adopt and impose secular modernising reforms in Tunisia. While Islam was established as the official state religion at independence in Tunisia, significant areas of life were secularised during this period. Willis contends the state took control “over issues and tasks that had traditionally been the preserve of independent religious institutions.”⁴⁸⁷ Moreover, Abdelbaki Hermassi analyses the situation as follows:

Of all the Arab countries, Tunisia was unique in the public manner in which its modernist elites attacked institutional Islam and dismantled its basic institutions in the name of systematic social and cultural reform—the result was to dismantle the whole old cultural order...accompanied by a very negative and contemptuous position toward traditional Islam.⁴⁸⁸

This position against Islam in the name of modernisation and political liberalisation reinforced an entire movement dedicated to safeguarding Arab-Muslim identity and the stronghold of traditional Islamist institutions in Tunisia.

The ambition of the government to rid the country of what was considered to be “radical” Islam persisted throughout the Bourguiba and Ben Ali regimes both as a drive to uphold the “modern” nation-state based on secular values and to eliminate perceived political opposition to the incumbent regime. At various points during the governance of both regimes, the main Islamist party in Tunisia, *le Mouvement de la Tendance Islamique* (MTI), which eventually evolved into *Hizb Ennahda* or the Renaissance Party, experienced political openings with opportunities for more visibility, as well as contractions in the space to manoeuvre in the political arena. The routine repression and exclusion of the Islamists from most political and social domains in Tunisia over time led to a growing Islamist counter-public looking to restore human dignity, for redress to human rights abuses including the routine torture and harassment of family members, and more importantly, to put forward an alternative view for the post-revolution Tunisian state.

⁴⁸⁷ Willis, *Politics and Power*, 157.

⁴⁸⁸ As cited in Hamdi, *The Politicisation of Islam*, 16.

What existed for decades as a counter-public with limited power soon began to emerge into a group of heterogeneous actors looking to design and influence Tunisia's national identity. While the Bourguiba and Ben Ali regimes acted to remove Islam from the political and sociocultural imagination, several formal and informal Islamist groups continued to manoeuvre before 2010. Haugbolle and Cavatorta describe a "religious awakening" from even the early 2000s in Tunisia during which a new identity model was being formed. This model was, they write:

A rejection of both Bourguiba's, which excluded Islam from public life, whether policymaking or regular communal prayer, and the Ben Ali regime's, which seemed to celebrate conspicuous consumption and corruption in the name of progress....Crucially, pious Tunisians also became more involved in social activism, which was perceived not only as a religious duty, but also as an ethical choice implicitly condemning the regime as unethical.⁴⁸⁹

Concurrently, Ennahda relocated its structure and leadership overseas. From this period, the movement concentrated on maintaining the organisation, providing support to its imprisoned members in Tunisia, and campaigning to underscore human rights abuses and the lack of genuine democracy in Tunisia under the Ben Ali regime. The movement also established social welfare networks, an internet site and satellite television channel.⁴⁹⁰ In addition, from the late 1990s the television news network Al Jazeera went into operation and featured a range of political opponents of existing Arab regimes, including Tunisian dissidents.⁴⁹¹ Achcar writes, "Millions of viewers saw, for the first time, the faces of opponents of their governments who had been forced into exile. Some even learned for the first time of the existence of these dissidents, their compatriots."⁴⁹² This effectively allowed groups such as Ennahda a political, as well as public, platform to promote their social welfare and reform agendas. After the events of the Tunisia uprising these various networks of Tunisian Islamist diaspora materialised to reveal a motivated group of actors seeking to become more formally involved in Tunisia's civil society. After the events from December 2010 to January 2011, this counter-public acquired the freedom to emerge and claim new spaces, albeit not without contestation.

⁴⁸⁹ Haugbolle and Cavatorta, "Beyond Ghannouchi."

⁴⁹⁰ Willis, *Politics and Power*, 196.

⁴⁹¹ Achcar, *The People Want*, 135–137.

⁴⁹² *Ibid.*, 137.

Islamist civil society actors and groups faced a multitude of confrontations as several of the former historic civil society actors and newer associations were not necessarily open to sharing Tunisia's expanding public spaces. Bin 'Isa al-Dimni argues that secularists in fact had instrumentalised the concept of civil society to forge an argument against Islamic society.⁴⁹³ Furthermore, as aforementioned, the concept of civil society was subsequently used across the two regimes as a weapon to exclude the Islamists in Tunisia.⁴⁹⁴

After the Islamist party Ennahda gained the post-election majority in the National Constituent Assembly through the Troika, Tunisians were also considering what role Islam would play in its future political and sociocultural identity. The post-revolution debates in Tunisia were often polarised between the secular and Islamist factions of the population, whereby the "middle ground" appeared to have evaporated.⁴⁹⁵ Considerable academic as well as media attention following the election in October 2011 was also devoted to understanding the relationship (if any) between Ennahda and the Salafi movement in Tunisia.⁴⁹⁶ In an article entitled "The Terrorist Threat is Not High in Tunisia, but...", a professor of contemporary history argued that approximately 50 percent of Ennahda was composed of the more conservative Salafist elements.⁴⁹⁷ He wrote, "And this explains in part the accusations of a double language which often surrounds Ennahda." This and subsequent articles such as "*Que mijote Ennahda?*"—what is Ennahda plotting, advocated the need for Ennahda "to make clear their relationship with the Salafis."⁴⁹⁸ Some members of the public voiced concern through the media of a "silent complicity" between the majority party Ennahda and the Salafis assumed by virtue of Ennahda's silence on instances of disorder and violence occurring after the uprisings (these specific instances are detailed in Chapter IV). Mehrez Bensaid, who wrote about such issues in an article featured in *La Presse*, stated:

⁴⁹³ Al-Dimni, Bin 'Isa. 1991. "*Bahthan 'an al-majtama 'al-madani al-manshud*" (In Search of the Desired Civil Society). *Al-mustaqbal al-'alim al-islami* 1, no.4: 225–37 in Browers, *Democracy and Civil Society*, 131.

⁴⁹⁴ Zghal, A (1992). "al-Mujtama 'al-madani wa al-sira min ajl al-haymanat al-iydiyulujjiyya fi al-maghrib al-'arab" in *al-Mujtama 'al-madani fi al-watan al-'arabi wa dawruhu fi tahqiq al-dimuqratiyya*, edited by Sa'id Bin Sa'id, 431–66 cited in Browers, *Democracy and Civil Society*, 131.

⁴⁹⁵ Suleiman, "The Disintegrating Fabric of Tunisian Politics."

⁴⁹⁶ See El Amrani and Lindsey, "Tunisia Moves to the Next Stage," and Ayeb, "Understanding the rise of Tunisia's Islamists." See also Kinninmont, "The Next Fight will be Among the Islamists."

⁴⁹⁷ "La Menace Terroriste n'est pas Très Elevée en Tunisie, mais..."

⁴⁹⁸ Nemlaghi, "Que Mijote Ennahda?"

It is necessary that the government take firm decisions and apply the law in a way which dissuades those who want to bring harm to our identity. Liberty has its limits and one should not be lax in the face of those who behave like brutes....We do not need these apostles coming from elsewhere to sow confusion and to bring peril to our union through their particular way of conceiving our tolerant religion. The Tunisian society is horrified by extremes, ladies and gentlemen, our people are moderate, and no one can deceive them.⁴⁹⁹

In February 2012, thousands of Salafis marched to protest the government's negative comments regarding a visit by the Egyptian Imam Wajdi Ghonaim, who reportedly advocated the introduction of female excision; the Tunisian president at the time, Moncef Marzouki, referred to the imam as a "microbe."⁵⁰⁰ The size of the protest signalled the discernible presence of Salafis in Tunisia at the time.⁵⁰¹ In an article entitled "The Turbulence of a Storm," Albert Jacquard wrote:

What are they waiting for? How much time must they wait to stop this infamous masquerade, this spectacle of indignity and shame, this hideous cycle in which we find ourselves? How many times must we wait, breathless and hoping for a word, a declaration, a gesture, a clear position to be taken, without any ambiguity? For what reason do they play deaf?...Why do all the actions perpetrated by the Salafis go and remain without punishment?⁵⁰²

The imagined (or real) complicity of Ennahda and the Salafis, alongside perceptions that acts of violence were going unpunished, could as aforementioned be attributed to damaged internal security systems and the judicial systems in Tunisia at the time, or the lack of communication among its leadership and members (due to imprisonment or exile) in the decades prior to the downfall of the regime. Therefore, what was publicly perceived as complicity could also be a consequence of weakened state institutions and nascent communication platforms following over two decades of authoritarian rule and an abrupt revolution in which many of these institutions were temporarily abandoned.

Situating power: the manifestation of Salafism

By virtue of the perceived complicity on the part of Ennahda, there was a belief among some that power was situated in a minority that was neither legally legitimate nor acting on

⁴⁹⁹ Bensaid, "Le Gouvernement Progresse."

⁵⁰⁰ "Tunisie: Marzouki S'Excuse pour Avoir Traite Wajdi Ghanim de 'Microbe.'"

⁵⁰¹ Baeder, "Controversial Cleric, Advocate of Female Genital Mutilation," and "Le Predicateur Wajdi Ghonaim Annonce."

⁵⁰² Jacquard, "Les Turbulences d'un Cyclone. "

behalf of the majority. However, this minority occupied a considerable amount of physical, social, and media space in the two years following the revolution, and therefore perhaps power was imagined in what was visible—the Salafis. Salafis are associated with a strict or literalist adherence to and application of Sunnism and had become more present in Tunisia’s symbolic and physical public spaces since the 2010–2011 uprising. From January 2011 individuals were more perceptibly able to indicate which form of Islam they supported through their dress and social behaviour. A more “visible” Islam could be observed in increasing numbers of both younger and older men, often branded simply as “Salafis” because they were wearing loose trousers and longer tops, accompanied by long beards. In addition, a growing number of women were seen in the streets wearing the *niqab* and full *burqa*.⁵⁰³ Members of the Francophone Tunisian press expressed alarm at these very discernible forms of Islam they would now see in Tunisian everyday life. For example, articles in two Tunisian journals—“To Those who still Persist on Wearing the Burqa,”⁵⁰⁴ in *Le Temps*, and one in *La Presse*, “The Rights of Women are a Red Line,”⁵⁰⁵ which was written by the Secretary General of the General Labour Union of Tunisia (UGTT)—underscored the dangers of more conservative understandings of Islam to women’s rights. Evie Soli and Fabio Merone cite blog reports in which some members of the secular parts of Tunisian society expressed the belief that “Tunisia is not the same country as they once knew.”⁵⁰⁶

Since the Tunisia uprising, Salafism had also become increasingly synonymous with the rejection of modernity, violence, and extremism. For example, in an article entitled “The Return of an Occupation not like the Others” the author wrote, “The Salafis recognise neither negotiation nor mediation. They are adept at force...they derive their existence through a rejection of modernity and the democratic matrix...and thus in the name of a totalising religion, a process of the ‘Talibanisation’ of our society has begun.”⁵⁰⁷ In addition, politically controversial decisions taken by Ennahda, such as the decision in February 2012 to evict the Syrian ambassador from Tunisia, raised questions concerning Ennahda’s relationship with the West, in particular with France, in influencing its post-uprising

⁵⁰³ Gray, “Tunisia after the Uprising,” 286.

⁵⁰⁴ Khalfi, “A Celles qui s’Obstinent Encore a Porter la Burqa.”

⁵⁰⁵ Cheffi, “Les Droits de la Femme sont une Ligne Rouge.”

⁵⁰⁶ Soli and Merone, “Tunisia: The Islamic Associative System.”

⁵⁰⁷ Sayah, “Retour sur une Occupation pas Comme les Autres.”

positions on key political matters.⁵⁰⁸ Unfortunate however was the conflation among some members of civil society and media between the myriad Islamist actors. Rarely did one hear the distinction between various Salafis elements in post-revolution Tunisia, when in fact this was a remarkably heterogeneous group of organisations and individuals.⁵⁰⁹ For example, it is important to make the distinction between the “scientific-Salafis” and the “jihadis Salafis,” whereby the former invest in associative activities with vulnerable communities and seek to influence the political realm while the latter are more predicated upon armed resistance against non-Muslim military and political forces.⁵¹⁰ It is estimated that the number of either “scientific-Salafis” or “jihadis Salafis” in Tunisia during this period was approximately 50,000; these individuals were not necessarily part of a formal organisation or based within a political group.⁵¹¹ It is however worth noting that two weeks after the departure of Ben Ali, the interim government released prisoners incarcerated under the anti-terrorist law of 2003; it was estimated that 1,200 Salafis—of whom 300 fought in Afghanistan, Iraq, Yemen, or Somalia—were liberated at this time. Moreover, several Tunisian Salafis imams (both scientific and jihadis) who had been living in Western Europe during the Ben Ali regime returned to Tunisia after January 2011.⁵¹²

It is also argued that a new generation of young Islamists between the ages of 15 and 35 was emerging across Tunisia, composed of unemployed men who did not necessarily know Ennahda but who saw themselves as participants in a resistance movement across the region, alongside their Chechen, Iraqi, or Afghan counterparts.⁵¹³ However, it is worth noting that while spectacular, the instances of violence attributed to Salafis in Tunisia from 2011–2013 were of relatively low intensity. Overall, of the individuals harmed in the various events, most casualties were among Salafis themselves (there were 14 Salafis casualties, two of whom were as a result of hunger strikes).⁵¹⁴ And although these and similar acts of violence raised important questions in Tunisia around the unauthorised circulation of weapons and juvenile delinquency, Islamists and their Salafis counterparts were routinely

⁵⁰⁸ Warren, “Tunisia Steps Out.”

⁵⁰⁹ See International Crisis Group, “Tunisie: Violences et Défi Salafiste.”

⁵¹⁰ See Jebnoun, “Salafi Trouble in Tunisia’s Transition” and International Crisis Group “Tunisie: Violences et Défi Salafiste,” 9–10.

⁵¹¹ International Crisis Group, “Tunisie: Violences et Défi Salafiste,” 10.

⁵¹² Ibid., 15.

⁵¹³ Ibid., i.

⁵¹⁴ Ibid., 6.

blamed for a host of incivilities and wrongdoing whether or not these acts were politically, religiously, or socially motivated. Often these acts served to underscore the governing party's inadequacy to rule rather than to advance genuine dialogue on democratic and economic reforms. Despite the relatively small number of actual individuals practicing Salafism either in political or public spaces, some Tunisians feared an "Islamic dictatorship" was in the midst of being instated, and that potentially, real power could be exercised by Salafis inside, as well as external to, Ennahda.

It could be argued that power was situated everywhere but within the party in the government majority. This was further exacerbated by a perceived fragility of individual members of Ennahda as many party members were known to have suffered extreme physical and psychological torture in prison under the Ben Ali regime.⁵¹⁵ Again, apart from attributions of a moral legitimacy to govern, this perception by some of the weakness of Ennahda suggested that power could be imagined elsewhere. Was real power in the hands of those who were occupying Tunisia's symbolic and physical public spaces such as the institutions associated with the state? Was it situated in the democratically elected majority of the National Constituent Assembly? Or was this power most potent in an imagined form entangled in rumour and myth-making within greater society? A transition from authoritarian rule can also be characterised by the rapidly shifting power relations between state and society during this period—and the ultimate obscurity by which these relationships are typified.

Finally, Tunisia's leaderless revolution highlighted common economic grievances such as high rates of unemployment, low wages, high rates of inflation, and significant income disparities between the rich and the poor whereby the neoliberal architecture was in part held responsible. It is argued that the revolution was promulgated by the stifled aspirations of unemployed young people under the age of 30 as well as by the "left behinds" of the northern interior regions of the country.⁵¹⁶ After the October 2011 elections, despite the economic crisis having been a primary and foremost feature of the Tunisian uprising, the interim government was reluctant to develop definitive policies on socioeconomic issues.

⁵¹⁵ Dridi, "Pourquoi Ennahdha Rencontre un Succès Populaire en Tunisie?"

⁵¹⁶ Beinoin and Vairel, "Afterword: Popular uprisings in Tunisia and Egypt," 238 and 248.

This meant that two years after the revolution declining growth, growing inflation and food prices continued to destabilise the economy. Inflation rose to 6.5 percent in March 2013 and GDP growth flat-lined in the first quarter of 2013 at 2.7 percent.⁵¹⁷ Furthermore, following the October 2011 elections to the National Constituent Assembly, Tunisia was governed through the Islamist-secular coalition, the Troika.⁵¹⁸ Tasked with drafting a constitution and forming an interim government until presidential elections could be held, the National Constituent Assembly was destabilised by oppositional infighting and prolonged negotiations. Hamadi Redissi argued through one of many of Tunisia's new online press sites, "All of a sudden, political life has become polarised. At the Assembly, the Troika has imposed a 'mini-Constitution,' organising public powers until the next elections....Hence, the malaise: the Troika believes that it has been mandated to govern, while the opposition continues to criticise its divisiveness."⁵¹⁹ The assassinations of the two prominent oppositional political figures, Chokri Belaid and Mohamed Brahmi, in 2013 served to exacerbate the tensions between Tunisia's secular parties and the Troika over the national economic crisis and the emerging Salafist movement. One of the principal challenges for Ennahda in the two years following the uprising was that it regularly found itself ensnared between Salafis contestations and the secular opposition's drive to accentuate the party's inability to govern.⁵²⁰ Moreover, the growing divisions manifesting at the political level reflected across to the emerging social divisions between the multitude of civil society actors and groups manoeuvring in Tunisia's public spaces.

2. Social Islam: claiming new spaces

Thousands of new civil society organisations were established after January 2011 due to an immediate expansion in the laws of association after the departure of Ben Ali following decades of arbitrary repression and intimidation (directed at both secular and Islamic

⁵¹⁷ Blibech, Driss, and Longo, "Citizenship in Post-Awakening Tunisia,"

⁵¹⁸ Following the October 2011 elections, Ennahda formed a coalition with two secular parties—the Congress for the Republic (29 seats) and Ettakatol (20 seats)—to secure a majority, creating what would come to be known as the "Troika."

⁵¹⁹ Redissi, "Tunisia: The Difficulties of the Coalition."

⁵²⁰ International Crisis Group, "Tunisie: Violences et Défi Salafiste," 8.

organisations) by the previous regime. While even two years after the revolution it is a challenge to disaggregate the data on the orientations of the different registered organisations, informants for the research cite that several hundred Islamist associations were established from 2011. Many of these organisations were charitable or humanitarian organisations working in poverty alleviation directly with deprived communities. A number of Islamist associations during this period were also educational and cultural; for example, there existed a range of organisations providing classical Qur'anic education and literacy to women in mosques across the country such as the *Saheb Ettabaâ* Association of Islamic Culture in Tunis, where I attended Qur'anic recitation lessons with my host family. Evie Soli and Fabio Merone reflect as follows:

The opening of this social space was the chance for many new actors to come onto the Tunisian scene. Tunisian classical social entrepreneurs, mostly secular and western-oriented, discovered that a large and highly motivated new group of actors were now occupying a space in society, provoking widespread suspicion regarding these organisations.⁵²¹

Soli and Merone contend that this new social activism developed through a “dual process of internal and external networking” that allowed for these emerging organisations to nourish a resource base to undertake this work in Tunisia’s expanding public spaces.⁵²² Many of these actors and groups worked in deprived areas, operating at the local level to supplant broken state systems. In the International Crisis Group report “Tunisie: Violences et Défi Salafiste” it was reported that Salafist militias in particular became essential actors in the economic life of post-revolution Tunisia, providing academic support to young scholars, conflict resolution between neighbours and help with local administrative problems. In many villages and neglected urban areas these groups had “inserted” themselves in the informal and underground economy.⁵²³

Social activism and associational Islam in post-revolution Tunisia

For the research I interviewed Dr Dema who, together with ten female colleagues and friends, received their formal associational visa to establish the Islamic association *Al-Usra al-Amina* (The Secure Family) in June 2011. She perceived that for many years the

⁵²¹ Soli and Merone, “Tunisia: the Islamic Associative System,” 1.

⁵²² Ibid., 3.

⁵²³ International Crisis Group, “Tunisie: Violences et Défi Salafiste,” ii.

population in more deprived areas outside of Tunis lacked information on education, health, and hygiene. She said because she was a medical doctor she liked helping individuals in need. She remarked during the interview for the research, “During those years when we were not free at all we could not start an association because everything had to pass through the party, everything had to pass under ‘them’ and in ‘their’ name. We were Islamists and so otherwise we were marginalised. We never tried to work under them.”⁵²⁴ The organisation worked during Ramadan and Eid to help poorer families with food, clothing, and material support. Dr Dema and her colleagues also maintained their full-time roles in the medical profession. She eventually changed her work schedule to be able to work earlier in the mornings to accommodate the organisation’s activities in the afternoons and on weekends. She acknowledged that having never worked in a humanitarian organisation she was relatively inexperienced, so with her friends and colleagues “they are learning.” The association also relied on some 60 volunteers because they were dependent on small local private donations from the community.

A core part of the work of *Al-Usra al-Amina* focused on the family at the health and psychosocial levels, such as on conflict resolution and issues for young people. Dr Dema noted, “The areas outside Cap Bon are particularly poorer areas—just the infrastructure of the houses, how people are living...absolutely catastrophic situations.”⁵²⁵ The principal activities of the organisation as set out in its constitution stipulated the following: to give social, material, and educational aid to families; to educate stay-at-home women and heads of household; to help prepare young women for their future role as mother and head of the family; and to undertake sociocultural sanitation and environmental interventions. During the interview with Dr Dema and eventually her other colleagues engaged in setting up their own organisations, it became a challenge practically and conceptually to delineate precisely what makes an association such as *Al-Usra al-Amina* Islamist and aforementioned organisations such as *Femmes et Citoyenneté*, secular. They each carried out several of the same activities in deprived communities with a particular focus on women, though it could be argued the Islamic associations were employing a “moral value system” entrenched in the core values of Islam. Furthermore, these organisations were considered Islamic because

⁵²⁴ Informant 49: Founder and president, development and education association; Tunis, 28 Mar. 2012.

⁵²⁵ Informant 49: Founder and president, development and education association; Tunis, 28 Mar. 2012.

they relied on the application of different Islamic values, including *zakat* and religious piety.⁵²⁶

Dr Dema explained during the interview for the research that her understanding of Islam was not just through the five pillars of *ibadat* (religious obligations) but also as a way of life. Her commitment to working with deprived communities, she perceived, comes from her religion. She explained, “We do this for God—*Fee Sabeel Allah*—or for the pleasure of God. When we work as volunteers we do this for a moral satisfaction. We do not know why *they* do it, but we know God will be very pleased with us.”⁵²⁷ The notion of the “us” versus “them” social divide was also underscored by another informant for the research, Najeeb, who himself established his own civil society organisation after the uprising. He spoke already of this divide between the activities and core target populations of the newer associations. In his analysis, secular organisations were doing more information and awareness-raising meetings (concerning democratisation) and the Islamist organisations were doing more “on-the-ground” work. He stated:

The Islamist associations are much less visible from the point of view of the media, and are engaging in work on the ground and more of a social-focused work with poorer populations, the unemployed, and they are the ones who are now occupying the terrain with the people themselves....They are doing outreach work and gaining the sympathy and favour of these populations.⁵²⁸

However, during the research interview he contested the notion advocated by members of the population who claimed these organisations “are buying the favour of the people.” He also recognised that following the Tunisia uprising, the understanding of the concept of civil society or *al mujtama al-madani*, was called into question. He argued:

This notion was put in place by the regime and was almost presented in opposition to the Islamists and even this discourse on terrorism. This was on the side of security, cultural, economic and social and they all came out (the media and the administration) with this notion of civil society in opposition to all things religious and religion (*al-mujtama al-dini*). But this was a political distinction between politicians trying to draw a line under the state and religion....This in fact lasted over

⁵²⁶ Soli and Merone, “Tunisia: The Islamic Associative System,” 1–4.

⁵²⁷ Informant 49: Founder and president, development and education association; Tunis, 28 Mar. 2012.

⁵²⁸ Informant 38: Senior expert on environment, bilateral and associational member; Tunis, 6 Mar. 2012 and Mar. 2013.

twenty years and has definitely marked the spirit of the population. This sense of civil society was without religious organisations. The churches and the mosques are civil society but whether or not people accept them is another question.⁵²⁹

Najeeb, whose sister also founded an Islamist association, directly attributed the post-revolution polarisation between the secular and Islamist organisations currently operating in Tunisia's public spaces to decades of concerted repression under the Bourguiba and Ben Ali regimes. He further explained:

The Islamists and their ideology on politics was banned and all activities related to the social, political, economic, and cultural sphere in Tunisia were banned, and the individuals involved were put in prison or exiled for more than 20 years—even under Bourguiba. So in a way, how do you expect them to be well represented in societal structures now?

During the research interview, Najeeb expressed a clear sympathy with Ennahda, as well as a significant admiration for the different civil society actors and groups emerging to participate in Tunisia's public spaces, and in which he was able to take part. Nevertheless, he found one of the principal obstacles to democratisation and a critical element responsible for exacerbating social divisions in post-uprising Tunisia was the media. A substantial proportion of the journalists operating during the Ben Ali regime were still in their posts following the revolution and so there was a perception that these journalists were not independent but were also continuing to encourage anti-Islamist attitudes. Najeeb contended, "Objectively the principle of defending and protecting the liberty of the press is absolute but on the ground and in reality this is something else."⁵³⁰ He argued that many members of Ennahda, some of whom spent more than 15 years in prison, suffered enormously. However, now they believed that they are legitimate. His main concern was that despite mass support for the party, the media were only willing to show the contrary. This frustration with the media was also highlighted by another informant for the research, Muammar, who founded an online media site after the revolution. He argued, "The journalists' line during Ben Ali was 'be afraid of the Islamists' and so far they are not

⁵²⁹ Informant 38: Senior expert on environment, bilateral and associational member; Tunis, 6 Mar. 2012 and Mar. 2013.

⁵³⁰ Informant 38: Senior expert on environment, bilateral and associational member; Tunis, 6 Mar. 2012 and Mar. 2013.

covering the issues around the Salafis very objectively. This is a very biased press...it borders on provocation!”⁵³¹

Dr Faiqa, who I interviewed for the research, also described the challenge of the media and its residue from the Ben Ali regime, in post-revolution Tunisia. A full-time gynaecologist in Tunis, she was working to create an organisation to support a freer (more pluralist view) media whereby young people could become more involved. The activities would focus on media training and sensitisation. I was put in contact with Dr Faiqa as she was also in the process of establishing an Islamist association. She explained that under Ben Ali they did not have a free media, and now they have the opportunity to transform the media into an independent agent that “reflects the image of the revolution.”⁵³² Arguing that the media had not changed since the revolution, she also believed the content of the various sources of media did not reflect the ethics of Islam or humanitarian values. She stated during the research interview:

Islam should be in direct relation to the individual and guide him on the path to citizen engagement (*muwatana*)....The Qur’an should be a part of life and through *rahman* (compassion) everyone should find their place in society so that people do not suffer and there is this equality, economic equality. Islam came to hold the hands of the poor and to help them live in dignity.⁵³³

Dr Faiqa also expressed during the interview a drive to embrace her *citoyenneté* and to participate in civil society, something she argued she could never have done before the revolution. She stated:

Now we are free to act, totally free and have no constraints as before we could not act. Before the revolution there were so few associations and even if we wanted to act we could not....If you were not in the party [RCD], you were considered the enemy....We were like animals, we worked, we ate, we slept, that is all. But now we are on the horizon of liberty, to act, to say what we think, without fear of going to prison.⁵³⁴

The Islamist organisations quickly moved to participate in Tunisia’s expanding public spaces. They were able to implement an approach alongside their programmes based on morality

⁵³¹ Informant 27: Co-founder and journalist, English news website/media; Tunis, 30 Jan. 2012.

⁵³² Informant 51: Co-founder, association to support a free media; Tunis, 2 Apr. 2012.

⁵³³ Informant 51: Co-founder, association to support a free media; Tunis, 2 Apr. 2012.

⁵³⁴ Informant 51: Co-founder, association to support a free media; Tunis, 2 Apr. 2012.

and piety with deprived communities—a formal participation denied to them under the former regimes. And while this space was open for a range of different activities, a sharp social delineation could soon be perceived between the secular organisations and their Islamist counterparts. The secular-Islamist divisions within civil society in post-revolution Tunisia were aggravated due to a myriad of factors, with two noted herein. The first was the former concerted efforts by both the Bourguiba and Ben Ali regimes to erase all political opposition through targeted campaigns of repression, marginalisation and violence at the political and sociocultural levels. The second was the role of the media, which arguably played a part in reinforcing social divisions during the Ben Ali presidency and which, following the uprising, continued to feed a secular moral panic concerning the ramifications of an “Islamist revolution” as perceived in neighbouring Iran. Rather than exclusively a domain of expanding opportunities and solidarity, civil society also became characterised by growing social divisions alongside conflicting views regarding the transformation of Tunisian national identity.

Who is in and who is out: obscure actors and contested agendas

Following the 2010–2011 uprising, Tunisia’s public spaces were initially characterised by a rapid expansion that, only two years later, was becoming increasingly ambiguous as a result of a multitude of hidden and uncertain priorities among some actors and groups. One prominent example is the emergence of the organisation the League of the Protection of the Revolution, legalised through Tunisia’s laws of association in June 2011, whose primary aim was for the “revolution to succeed.”⁵³⁵ The members of the League(s) were Islamist and some of the members were imprisoned under Ben Ali for their “Islamist sympathies” and public critique of the former regime. Many of the members were also young and unemployed, expressing a strong aversion to the secular nature of the state idealised under the Ben Ali government. One of the members stated:

Our objective is to completely dissolve the system created under Ben Ali, who inflicted considerable suffering on young Tunisians....One day we will be able to install an Islamic regime. But first, it is necessary to neutralise the members of the RCD and to eliminate them.⁵³⁶

⁵³⁵ Auffray, “Ces Ligues qui Protègent La Révolution Tunisienne.”

⁵³⁶ Ibid.

After 2011, there were a number of different League committees across Tunisia, in particular in the more deprived areas. In the different neighbourhoods where the committees were active, they organised cultural demonstrations, participated in the organisation of local elections (to replace mayoral posts), the collection of rubbish when the civil servants were on strike, and financially supported poorer families; for example, a member of the League reported that they give 960 families 50 euro per month.⁵³⁷

Despite the League committees' support to deprived communities, there was a perception among some groups that an organisation such as the League represented a more menacing presence, capable of harassing and threatening the secular civil society organisations operating in Tunisia's public spaces—for example, those working to monitor the debates and decisions of the National Constituent Assembly. For example, in the follow-up interview with Najeeb one year after the initial field research, his enthusiasm for the dynamism of Tunisia's new and more heterogeneous civil society had diminished. In our previous interview he was a keen supporter of Ennahda and had been able to establish and participate in a range of different civil society organisations following the 2010–2011 uprising. The increasing visibility of the conflicting aims and voices emerging in the public space—in particular, the emergence of the League committees onto this terrain—had diminished his enthusiasm. He said:

The largest period for the creation of new associations was between March 2011 and May 2012....The second period was from the elections in October 2011 until today, in which there appeared a different kind of association known as the Committee for the Protection of the Revolution....They are a group of associations which formed this committee to act in opposition to the Troika...and they are a genuine problem today. This is a phenomenon that has marked the year 2012.⁵³⁸

In 2012 and 2013, The League had a considerable internet presence with a Facebook page regularly featuring former RCD members, calling for their capture. Najeeb reported during the research interview that the committees prevented certain political parties and civil society organisations from engaging in their activities. The committees were reported to interfere with and intimidate secular organisations from working in gender and human

⁵³⁷ Auffray, "Ces Liges qui Protègent La Révolution Tunisienne."

⁵³⁸ Informant 38: Senior expert on environment, bilateral and associational member; Tunis, 6 Mar. 2012 and Mar. 2013.

rights, for example. The committees could prevent the associations from organising their meetings and were alleged to have used threats and violence to propagate their messages (such as in October 2012, when one of their demonstrations resulted in the throwing of Molotov cocktails).⁵³⁹ The use of violence resulted in a number of actors and groups calling for the formal dissolution of the League committees. It is argued that the committees were linked to Ennahda, as they actively supported the party in public demonstrations, such as calling for the government to “*serrer la vis*” (reign in or become tougher) on members of the former regime. Ghannouchi was reported to have said, “The League [committees] are the conscience of the revolution.”⁵⁴⁰ Alongside the call for the dissolution of the committees, there was a sentiment growing across the secular-left members of civil society and former Ennahda supporters that the committees were “protected by Ennahda as the justice system does nothing to address their transgressions.”⁵⁴¹

Not only were the conflicts and cleavages between these different groups growing, but also, as a consequence of political liberalisation measures, these contestations were now public and visible. Coincidentally some of the different actors were applying some of the same tactics of intimidation and harassment as the former authoritarian regime against organisations whose aims and principles did not align with their own. Najeeb made the following observations during the research interview:

These committees form a part of civil society in the legal sense of the term, but they have dominated and marked the events of the year. The committee mainly targets the media and journalists, opposition parties, and civil society organisations that are for the defence of human rights and women’s organisations. This has marked the landscape of civil society in Tunisia. This shows that civil society is not all the same colour and that it can always be infiltrated by political parties at the national and international level, it is significant....We cannot speak of civil society without also speaking of this phenomenon....What is perceptible now is that the associations with the most liberty to act and to manoeuvre are the religious associations.⁵⁴²

⁵³⁹ Jebnoun, “Salafi Trouble in Tunisia’s Transition.”

⁵⁴⁰ Auffray, “Ces Liges qui Protègent La Révolution Tunisienne.”

⁵⁴¹ Informant 38: Senior expert on environment, bilateral and associational member; Tunis, 6 Mar. 2012 and Mar. 2013.

⁵⁴² Informant 38: Senior expert on environment, bilateral and associational member; Tunis, 6 Mar. 2012 and Mar. 2013.

Some secular organisations actively sided with the Ben Ali regime in its efforts to deny a proportion of the population the opportunity to engage in the political or sociocultural landscape of Tunisia, such as the formal establishment of a civil society organisation. Therefore, one must ask who the organisations considered as civil society represent and in whose interest they are working. Abdelrahman and Fraser both echo and engage in untangling the aims of civil society. Both writers distinctly recognise the inherent conflictual nature of civil society as well as the pervasive tensions between “bourgeois” publics and “other.”⁵⁴³ Abdelrahman writes, “Civil society has become an arena for political conflict and its organisations have been seized by representatives of contending political programmes that often resort to violence and repression to suppress other groups within civil society.”⁵⁴⁴ Similarly, Fraser argues, “Thus, not only were there always a plurality of competing publics but the relations between the bourgeois publics and the other publics were always conflictual....The public sphere was always constituted by conflict.”⁵⁴⁵ Abdelrahman emphasises in particular, in her examination of the evolving notion of civil society in the Egyptian context, that competition among these actors continues to be polarised between the Islamists and the secular intellectuals.⁵⁴⁶ She contends, “The rivalry between Islamists and secularists has increasingly been expressed in the space provided by the newly expanded organisations of civil society, for example, professional syndicates and NGOs.”⁵⁴⁷

Arguing in a similar vein as Jane Mansbridge, Fraser asserted, “Subordinate groups sometimes cannot find the right voice or words to express their thoughts, and when they do, they discover they are not heard. [They] are silenced, encouraged to keep their wants inchoate, and heard to say ‘yes’ when what they have said is ‘no.’”⁵⁴⁸ In discussions with secular (self-identified) organisations and multilateral donors, as well Islamist associations, there was a prominent dual discourse significantly centred around an “us” versus “them” perception. Fraser muses:

⁵⁴³ See Abdelrahman, “The Politics of ‘Uncivil’ Society in Egypt,” 21–35; Abdelrahman, *Civil Society Exposed* and Fraser, “Rethinking the Public Sphere.”

⁵⁴⁴ Abdelrahman, “The Politics of ‘Uncivil’ Society in Egypt,” 21.

⁵⁴⁵ Fraser, “Rethinking the Public Sphere,” 61.

⁵⁴⁶ Abdelrahman, “The Politics of ‘Uncivil’ Society in Egypt,” 25.

⁵⁴⁷ *Ibid.*, 26.

⁵⁴⁸ Jane Mansbridge, “Feminism and Democracy,” *The American Prospect*, no. 1 (Spring 1990) p. 127 in Fraser, “Rethinking the Public Sphere,” 64.

We should question whether it is possible even in principle for interlocutors to deliberate as if they were social peers in specially designated discursive arenas, when these discursive arenas are situated in a larger societal context that is pervaded by structural relations of dominance and subordination.⁵⁴⁹

Despite the conflicts and contentions between civil society actors and groups, Fraser underscores the value of these ongoing contestations, namely that multiple counter-publics actually allow for the eventual expansion of discursive spaces. She stipulates, “In principle, assumptions that were previously exempt from contestation will now have to be publicly argued out. In general, the proliferation of subaltern counter-publics means a widening of discursive contestation, and that is a good thing in stratified societies.”⁵⁵⁰ Fraser perceives this polarisation as one of the few effective means to expand the discursive arena—a relatively isolated and uncontested space in Tunisia up until now.

3. Contestation from the periphery: growing cleavages among civil society

From 2011—2013, the interactions between civil society groups and actors could be characterised with instances of respectful tolerance as well as discursive dominance and hostility with regard to perceptions of difference. As Tunisia’s public space grew into more and more of a contested space, conflicts, competition, and contentions emerged between not only the historic and newer actors within civil society, but also among secular and Islamist associations (which cannot be homogenised into definitive factions). Through an examination of the discursive content of some of the print media and interviews for the research, it is possible to observe how the language individuals adopted as they reasoned together favoured one discourse and discouraged others.⁵⁵¹ This section looks more closely to the polarised language of the different civil society actors and groups in the two years following the revolution to further underscore the tensions and conflicts unfolding across this terrain. It analyses the words of the secular organisations that at times were found to contain reactionary sentiments and intolerance; it also looks to some of the Islamic

⁵⁴⁹ Fraser, “Rethinking the Public Sphere,” 65.

⁵⁵⁰ Ibid., 67.

⁵⁵¹ Ibid., 64.

associations which, while adopting a similar “us” versus “them” discourse, arguably considered themselves vital members of civil society.

The compatibility between civil society and Islam

In Abdelrahman’s research into further understanding the concept and application of civil society within the Egyptian context, she exposes the degrees of violence and repression that have been used to suppress other groups within civil society. Moreover, she underscores the tendency in academic literature as well as the media to portray Islamist groups as the only groups demonstrating intolerance for other political and sociocultural missions.⁵⁵² She argues that “members of secular ‘liberal’ associations have also shown extreme intolerance to individuals and groups, usually Islamists, who do not conform to their political project.”⁵⁵³ Most poignantly, she advocates for a more precise empirical examination of the problems within civil society itself and recognition of the “inherent contradictions” of this concept.⁵⁵⁴ As in the case of Egypt, by observing the interactions between these groups before and after the 2010–2011 events in Tunisia, it is possible to discern a similar intolerance among the disparate actors manoeuvring in Tunisia’s expanding public spaces. Moreover, the post-revolution period itself highlights the intensity of these conflicts in the drive toward democratisation.

Soon after the elections to the National Constituent Assembly whereby the Islamist Ennahda party ruled through the Troika, a moral panic quickly set into a significant proportion of the secular-liberal factions of the population, particularly in Tunis. This moral panic was reflected in some of the print and television media, and was manifested in the nature and aims of the public demonstrations that took place from this period. The moral panic fed on the perception that “radical” Islamic ideology and practice would soon acquire a much more politicised role in Tunisian society.⁵⁵⁵ Ambiguous political statements on behalf of Ennahda, accompanied by a visibly changing sociocultural street environment, aggravated these mounting fears among secular-liberal populations. This anxiety equally transferred across to civil society actors and groups where many of the historic

⁵⁵² Abdelrahman, “The Politics of ‘Uncivil’ Society in Egypt,” 29.

⁵⁵³ Ibid.

⁵⁵⁴ Ibid., 23.

⁵⁵⁵ Ajmi, “More Than 4,000 People Descend” and Noueihed, “Tunisian Protesters demand Islamic State.”

organisations and newer organisations encountered uncertain terrain and unanswered questions. Organisations that considered themselves members of civil society were asking just how “civil” were the newer, Islamist associations that legally could acquire the associational visa. Historic and newer organisations would come to share not only a widening and ambiguous discursive space but also a very physical space (for example, both secular and Islamist demonstrations were being organised on the same day in the same place on a number of occasions). Moreover, some of the historic and the newer secular organisations perceived actual danger of violence from Salafis factions that also emerged to participate in this public space—some expressed feeling threatened, having been harassed, and having faced uncomfortable confrontations.⁵⁵⁶ Finally, the secular organisations questioned the autonomy of the Islamist associations, namely from where and how they acquired their funding to operate.

There is often the argument that Islam and democracy are incompatible, and within this linear trajectory that civil society and Islam therefore are equally incompatible. This perception has relied over time on often unquestioned binaries including modern versus traditional, West versus East, and liberal versus illiberal. For example, Michaelle Browers explores in great depth the inherent challenge of exporting the concept of civil society to Islamic societies, noting for example, “The path of the contemporary re-emergence of civil society alongside democracy is fraught with the talk of the ‘clash of civilizations.’”⁵⁵⁷ Furthermore, she highlights over time civil society’s conceptual manipulation to represent that which is against Islamist society. She attempts to situate more precisely from where this moral panic is derived by stating:

The fear is that this Islam, once legitimated as the source of political and social norms, will prove repressive for individual liberties, especially for non-Muslims, non-practicing Muslims, Muslim minority groups, and Muslims with new or different interpretations of their religion. Women from all of those categories also express a particular concern about Islamic rule.⁵⁵⁸

After it became clear that the October 2011 elections would yield an Islamist majority in the National Constituent Assembly, secular organisations questioned whether the principles of a

⁵⁵⁶ See: International Crisis Group, “Tunisie: Violences et Défi Salafiste,” 2.

⁵⁵⁷ Referring to Huntington (1996) in Browers, *Democracy and Civil Society*, 6.

⁵⁵⁸ Browers, *Democracy and Civil Society*, 147.

more radical Islam, or a strict adherence to Sharia, were compatible with democracy and political liberalisation, including civil society. As between hundreds and thousands of new organisations qualified for the associational visa in under two years, some associations queried the nature and aims of the organisations perceived as Islamist with which they shared this topography, such as the new network of over 200 nurseries run by women in *niqabs* providing religious education to young children.⁵⁵⁹ For example, an article featured in *Le Temps* in 2012 expressed alarm at the numerous illegal “extreme Salafist” associations being run across Tunisia. The article proposed, “It is also the responsibility of the authorities, the media and all members of *civil society*, to battle against these phenomena and to prevent above all, that the men of tomorrow become initiated in hate and violence.”⁵⁶⁰

Distrust and division: conflicting aims and ideologies

For the research in Tunisia, I interviewed 25 individuals working with secular organisations (historic and newer), three Islamic associations, and eight multilateral donors (either based in Tunis or regional offices in Cairo).⁵⁶¹ The majority of the informants spoke to some degree of a growing (perceived) secular-Islamist divide and the consequences this could have on Tunisia’s efforts toward democratisation. For example, I conducted a research interview with Kader, an activist and outreach worker with key populations affected by HIV/AIDS in Tunis. He expressed his concern as to how civil these newly created organisations would be:

Do they have these civil and community-based objectives? Some of the associations are very open about promoting good morals with Islamic objectives, and many have strong influences from Saudi Arabia. So just because we have this explosion in associational activity, this does not necessarily mean it is civil, it could be just the opposite. Anyone now can create an association but it is important to ask what are they doing and how they are working—perhaps they are working to restrict liberty and human rights?⁵⁶²

Moreover, another informant for the research—Wail, a former human rights activist who had been imprisoned four times under Ben Ali—also highlighted disbelief among some civil society actors that Islamists, in particular those perceived as Salafis, could have civil aims.

⁵⁵⁹ International Crisis Group, “Tunisie: Violences et Défi Salafiste,” 15–16.

⁵⁶⁰ Nemlaghi, “Associations et Embrigadement,” emphasis added.

⁵⁶¹ Some individuals interviewed for the research have not been included here either based on the limited quality of the interview or because they could not be considered working with official associations.

⁵⁶² Informant 26: Supervisor of key populations and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 30 Jan. 2012.

He argued, “The Salafis are active in the charity organisations and they actually do not believe in the work of the other associations, nor do they believe in liberty.”⁵⁶³

These expressions of distrust among some of the secular organisations also resonated in their discomfort in having to share the expanding discursive, as well as very physical space, with Islamists whose views and methods of civic activism were not always perceived as respectful. These actors referred to the “space” in which multiple factions currently must co-exist. During the research interview with Muammar, a co-founder of an English-language online news journal created immediately after the Tunisia uprising, he expressed how quickly the nature of this discursive and physical public space was being transformed. He observed, “Now there is this freedom of expression and Tunisians are seeing just how truly conservative this society is. There is a very different kind of public space now opening up and not everyone is happy about it; but it is a public space after all.”⁵⁶⁴ Seventeen of the twenty-five secular-liberal participants interviewed for the research expressed uneasiness with regard to the different actors emerging to participate in shaping Tunisia following the downfall of the Ben Ali regime, including the range of issues currently featuring in the widening discursive space as well as the debates unfolding in the National Constituent Assembly.⁵⁶⁵ During the research interview Radi, a sociologist and lead researcher for many of the HIV/AIDS-related bio-behavioural surveillance surveys conducted in Tunisia, expressed his concern that the post-revolution discursive arena was so immense. He elaborated:

Everything is permitted; however, the risks for me are the Salafis and violence. For years we have not had some of the debates we are having now—everything is open somehow for discussion—but what is interesting is that these are not discussions we want to revisit, such as polygamy, abortion, or the death penalty—but all discussion are being had now out in the open. It is necessary to pass through this phase (of the transition to democracy).⁵⁶⁶

On a number of occasions, for example on International Women’s day (8 March 2012), this space was even physically contested when the Ministry of Interior approved permission for

⁵⁶³ Informant 41: Secretary general, human rights association; Tunis, 13 Mar. 2012.

⁵⁶⁴ Informant 27: Co-founder and journalist, English news website/media; Tunis, 30 Jan. 2012.

⁵⁶⁵ Liberal associative informants no. 18, 21, 23–26, 30, 32, 36, 37, 38, 40, 41, 42, 45, 47, and 53.

⁵⁶⁶ Informant 30: Academic, HIV and gender; Tunis, 7 Feb. 2012.

two demonstrations occurring on the same day in the same area. Consequently, the women's demonstration calling for "equality and parity" coincided with the Salafis demonstration calling for the implementation of Sharia principles in the constitution.⁵⁶⁷ A member of one of the largest women's rights association claimed during the research interview that it was not a mere coincidence.⁵⁶⁸ While the actual number of incidences of violence, in particular attributed to the Salafis, was small, it was argued that their capacity to cause a "nuisance" was worrying, as was the past *jihadi* association of some of its members. In May 2012, the president of the Tunisian League of Human Rights (LTDH), Abdessatar Ben Moussa, issued a statement on the 35th anniversary of the organisation stating that these groups (Salafis) propagate terror, "aggress physically and morally women, intellectuals and journalists, ...politicians and even human rights activists."⁵⁶⁹ This sentiment was also shared by Naeema, an informant for the research working as a women's rights activist, who consequently encountered the heavy-handed nature of the Ben Ali regime. She expressed her frustration that the site of contestation for her activism has now shifted from the former authoritarian regime to Salafis. She spoke of how after the revolution her association organised an event to speak to and offer support to the victims of violence who died during the revolution. She reported that "Ennahda" came to harass them so they would leave, and then later articulated in the press that the organisation had been rejected by the martyrs' families. She expressed frustration in her research interview, asserting for example:

We can in effect do all the activities we want which is great...but now we are not alone, there are the Salafis. Now it is not the government, now it is the Salafis who are trying to censure us—Ennahda and the Salafis who are against our association. Their strategy is to largely discredit the associations working in women's rights through working through the media such as Facebook where they have set up campaigns to defame and pass misinformation on our work.⁵⁷⁰

During the interview with Wail, he also discussed this reluctance for the secular civil society groups to share this previously uncontested space. He stated:

⁵⁶⁷ Goueset, "Les Droits des Femmes en Tunisie."

⁵⁶⁸ Informant 42: Founder and secretary, women's rights association; Tunis, 16 Mar. 2012.

⁵⁶⁹ Associated French Press, "Tunisie: Les Salafistes Multiplient les Coups d'Éclat."

⁵⁷⁰ Informant 40: Director, women's rights association; Tunis, 12 Mar. 2012.

The current regime [Ennahda] is not inclined to the Salafist ideology but the Salafis are scaring the activists...because it is strongly believed that they are not just against the liberties of women but of all. They are in conflict with democracy...and now people are believing the worst...that they [Tunisia] will end up like Afghanistan or Iraq.⁵⁷¹

Finally, there is an underlying suspicion of the aims and autonomy of some of the emerging Islamist associations, in particular an assumption that they have either been created by Ennahda as populist arms throughout the more deprived regions of Tunisia, or that their aims are inherently political in nature.⁵⁷² In addition, despite the Islamist organisations I interviewed admitting they were struggling to find the resources to implement their activities, some secular groups suggested that not only did these associations have funding from the wealthier Gulf Cooperation Council (GCC) countries, but ample resources to affect/influence popular opinion especially in vulnerable communities. For example, Soli and Merone argued, “This new scenario of associations started a debate on the nature of influence coming from outside Tunisia....Should the country really accept funding from other countries such as Qatar—hardly known for respecting human rights or transparent criteria of funding?”⁵⁷³ While Islamic Relief and Qatar Charity were two principal donors in post-revolution Tunisia, alongside a range of Kuwaiti organisations and the International Islamic Charity Organisation, these Islamic funding networks also span across the West such as the United Kingdom (Manchester is home to the headquarters of two of the wealthiest and influential Islamic associations), Turkey, and Germany.⁵⁷⁴

Furthermore, there was often a confusion regarding the participants’ understanding of whether civil society organisations should be political or apolitical organisations. This conceptual conviction on the part of these actors seemed inconsistent given that a significant proportion of their activities (human rights and HIV treatment advocacy, for example) directly challenged the former government and advocated action of a political nature. These disparate understandings of civil society were underscored in the research interview with Soraya, a programme coordinator for one of the newer associations working

⁵⁷¹ Informant 41: Secretary general, human rights association; Tunis, 13 Mar. 2013.

⁵⁷² See Soli and Merone, “Tunisia: The Islamic Associative System;” International Crisis Group, “Tunisie: Violences et Défi Salafiste;” and Gray, “Tunisia after the Uprising,” 289.

⁵⁷³ Soli and Merone, “Tunisia: The Islamic Associative System,” 2.

⁵⁷⁴ Ibid., 3–4.

in women's rights. She argued that deprived communities were being manipulated following the 2010–2011 uprising as several hundred Islamist associations received money from Ennahda (she reported that "a journalist" had cited 826 out of 1,764 associations were Islamist). She stated, "This of course is a strategy of Ennahda to win the next elections through these local associations [which] are consequently linked politically."⁵⁷⁵ Throughout the course of the research, the concept of civil society was often taken as a given by many of the research interviewees. Furthermore, there did not seem to be an inclination on the part of the actors with whom I spoke to explore this concept, its meaning and its composition. In my attempts to further discern the understanding of this concept from some of the research informants, my question was often met with furrowed brows or indeterminate statements, such as from Soraya and her sister. They each exclaimed, "Civil society is composed of citizens and associations, and not political parties with political aims. They have to be independent from political parties. This cannot be a means for an end for political parties to acquire more supporters."⁵⁷⁶ I not only observed different assumptions concerning the definition of civil society among the associations, but equally from international NGOs working in Tunisia and multilateral organisations such as the UN. Some of these actors were also not conscious that in their explanations of the definition or composition of civil society they would exclude the Islamist associations in their descriptions. For example, during the research interview with Dr Saqib, the director of one of the newly established UN organisations based in Tunis, he stated:

In a way some of the newer civil society organisations are trying to present a different vision than the Islamists, in a way resisting this participation. There is a high mobilisation towards a new political vision and this is a goal of the organisations. Ennahda won with this strong social network and the distribution of aid to poorer areas. Civil society is however focusing on the laicism of the state.⁵⁷⁷

However, in the interview with Dr Dema, who established her own Islamist association to support vulnerable families, she said that she believed that she and the work of her association indeed formed part of civil society, stating:

⁵⁷⁵ Informant 47: Programme coordinator, women's rights association; Tunis, 22 Mar. 2012.

⁵⁷⁶ Informant 47: Programme coordinator, women's rights association; Tunis, 22 Mar. 2012.

⁵⁷⁷ Informant 34: Director, multilateral human rights organisation; Tunis, 15 Feb. 2012.

We are a part of civil society as our country is going through a very difficult period and so therefore all associations need to be mobilised....We lived for years thinking these things do not concern us and now we are trying to change this idea, our country concerns all of us, one has to believe in what one can do for his country.⁵⁷⁸

Despite some of the valuable services Islamist organisations provided, in particular at the community level, this work was often met with suspicion and at times resistance on the part of some of the secular actors. For example, during an interview conducted by the International Crisis Group it was reported that *Ansar al Sharia* (the Islamist group eventually blamed for the political assassinations in 2013) invested considerably in providing support to the victims of the floods in the North-West region during the winter of 2011–2012. An imam in one of the more deprived areas of Tunisia remarked in an interview conducted by the International Crisis Group, “The Salafis give money to children in hospitals, to widows and orphans. They organise marriages, help to support the pilgrimage to Mecca, give money to the poor during Ramadan and the secularists call them terrorists!”⁵⁷⁹

Conclusion

For many Tunisians unaccustomed to visible forms of politically motivated violence, the assassinations of Belaid and Brahmi in 2013 came as a shock. Critics of Ennahda felt their suspicions were being confirmed, that a new authoritarian regime could be in the process of consolidating its power. This distrust directed at the new transition government was also reflected onto the new actors, namely Islamists, emerging in Tunisia’s public spaces where they would interact with a range of groups and organisations. Social Islam carved a space for itself in post-uprising Tunisia’s widening discursive arenas. Moreover, a host of Islamist actors established legal civil society organisations to support deprived communities and participate in the changing national landscape. Nevertheless, growing social divisions could be perceived among the different civil society actors and groups in the two years following the downfall of the Ben Ali regime. These cleavages manifested in particular between secular and Islamist actors as an outcome of the residue of authoritarian rule whereby civil society was routinely constructed in opposition to Islam, as well as a consequence of the multitude of actors and contrasting ideologies that quickly moved to inhabit these new spaces.

⁵⁷⁸ Informant 49: Founder and president, development and education association; Tunis, 28 Mar. 2012.

⁵⁷⁹ International Crisis Group, “Tunisie: Violences et Défi Salafiste,” 19 (in footnote 103).

Following the Tunisia uprising, civil society became more contested and conflictual between its different actors and groups as a result of a number of factors. Historically both the Bourguiba and Ben Ali regimes worked over several decades to remove political as well as social Islam from the national imagination. This was carried out as an ambitious drive to “modernise” the country based on principles of secularism and political liberalisation, as well as a mechanism to consolidate state legitimacy through the elimination of opposition and contestation to authoritarian rule. The promotion of the secular ideology also allowed some members of civil society to perpetuate “Islamophobia,” thereby leaving limited room in the national imagination for Islamist actors in the public domain. Ultimately, decades of repression and exclusion served as both a motivating factor for Islamists to participate in Tunisia’s public spaces following the 2010–2011 uprising, but also as a delimiting factor given ongoing contestations to this participation by many secular civil society actors and groups.

Islamists movements re-emerged as some of the primary voices promoting an alternative vision for Tunisia’s national identity. This was a result of the vigour with which both regimes pursued secularisation, but also was a reaction to the extreme impiety and corruption associated with the Ben Ali regime. And while Islamist movements were not the main force behind the events that began in December 2010, their potential to mobilise mass proportions of the population and to offer support to marginalised and deprived communities across Tunisia in part allowed them to attain a majority following the elections in October 2011 to the National Constituent Assembly. Moreover, with the rise of political Islam, there was also the concurrent rise in associative Islam where new, and often unfamiliar, actors filled new spaces offered up in the expanding post-revolution landscape. Effectively, the denial of participation in civil society prior to 2011 eventually helped to create the spaces for Islamist actors to establish associations and opportunities to embrace their own sense of *muwatana* or *citoyenneté* subsequent to the downfall of the former regime. The result of this participation was the materialisation of a multitude of unstable and reversible hegemonies giving rise to a host of visible as well as invisible emerging counter-publics in Tunisia’s public spaces. For example, organisations such as *Al-Usra al-Amina* seized the opportunity to more formally support deprived communities after acquiring their associational visas in June 2011. The members of the association focused on

challenges for vulnerable families and young people, while working according to what they felt was an Islamic moral value system. *Al-Usra al-Amina* and similar Islamist organisations working in humanitarianism were able to use their participation in civil society as a means to exercise their own sense of *muwatana* and national belonging in post-uprising Tunisia. Nevertheless, while providing support to deprived communities, some organisations such as The League of the Protection of the Revolution also engaged in what could be considered more subversive activities to disrupt Tunisia's efforts toward democratisation. And while organisations such as the League were legally established as civil society organisations, their actions acted to exacerbate distrust and division between both secular and Islamist organisations in Tunisia's public spaces.

This chapter analysed the second core theme of the thesis concerning the emerging sociocultural and socioreligious divisions, including the rise of associational or social Islam, following the downfall of the Ben Ali regime in 2011. In particular it examined the growing conflicts and cleavages among civil society, specifically between the secular and Islamist actors. Following the downfall of the Ben Ali regime both the secular and the Islamist civil society actors worked to repress contestation; at times these actors aggravated distrust through exclusion, intimidation, and threats of violence. Moreover, as this had previously been a relatively uncontested space composed of mainly secular organisations, the consequence was a perceptible resistance, described here as well as in Chapter IV, to expanding this space to include disparate and unfamiliar views. A limited sociocultural imagination often excluded associative Islam; this permeated across the historic civil society actors as well as the newer organisations, and equally across some bilateral and multilateral donors providing support to these different organisations. This allowed for the increasing emergence of a dual discourse in which civil society was discussed in contrast to Islam. In the two years after the revolution, there were no clear winners or losers in Tunisia's public spaces, only what could be considered as the further exacerbation of social divisions tempered by conflicting worldviews and agendas for post-uprising Tunisia.

Alongside Chapter IV, this chapter also emphasises the dual understandings of civil society underpinning the actions and responses of the different actors. The secular civil society organisations that were established during the Ben Ali regime emerged within the ideology

of neoliberalism—operating within a more or less homogenous field of actors enshrined in the liberal secular ideology. The actors who emerged to become members of civil society following the 2010–2011 uprising more closely reflected a Gramscian understanding of the concept and field of actors. Through the cultural, education, and religious institutions, civil society was able not only to restore its sense of agency through self-determination and self-management, but also to contest state power; at times these actors, such as the emerging Salafi movement, even seemed capable of subverting this power. The Gramscian contemporary understanding of the concept that emphasises agency, instability, and the reversible nature of hegemony comes to stand in sharp opposition to the neoliberal understanding in which the role ascribed for these actors is largely functionalist. I argue that at the root of these social divisions and cleavages are also two simultaneously operating but incompatible concepts of civil society influenced by the ideology of Communism on the one hand and the ideology of neoliberalism on the other.

The next chapter examines the final core theme of the research, namely the exclusionary (and undemocratic) nature of consensus in “liberal” democracies. In setting out to determine how conflict manifests among different civil society actors and groups, it is possible to trace and contrast the moments during which these conflicts are at their peak to when they are gradually narrowed down based on the often exclusionary process of consensus. This chapter continues to examine the multiple and competing priorities that emerge following the downfall of an authoritarian regime, and in particular underscores those voices left out when one regularly is cautioned “now is not the time” as a range of mainstream as well as peripheral issues are presented for debate and discursive contestation.

Chapter VI. Consensus and marginalisation: the mapping of priorities in post-uprising Tunisia

Do we need further strife because a very small minority expresses its perversion...not caring about the feelings and the sacred beliefs of a majority?

--Samir El Wafi, Tunisian talk-show host⁵⁸⁰

*Before Ben Ali and after, I am not afraid to say what I think.
-- LGBT activist, Tunis⁵⁸¹*

Transitions from authoritarian rule often nourish expectations among a range of stakeholders, from individuals to the international community, for an expansion of space for political liberalisation, redistribution, and perhaps most importantly, recognition. Therefore, it is often easy to overlook the groups and actors that find spaces contracting around them as the priorities for democratisation are outlined and the hierarchy of concerns push certain groups and issues to the periphery. This narrowing of spaces also underscores the complex and unstable nature of democratisation itself. In the drive for consensus, one of the core principles of democracy, issues perceived as contentious are often excluded in favour of less controversial or more “acceptable” imaginings of a country’s national identity. In *Agonistics*, Chantal Mouffe writes, “Every order is predicated upon the exclusion of other possibilities.”⁵⁸²

More recently, the issue of homosexuality has come to represent a benchmark for “democratic” societies globally. The topic regularly rouses contention and sparks fierce debate internationally on the role of identity politics, religion and sexuality, and the international human rights agenda(s) tied to globalisation. In the Middle East and North Africa homosexuality is a touchstone subject that continues to be the object of extreme taboo in Arab societies. Throughout the region homosexual communities continue to

⁵⁸⁰ Baeder, “Tunisian Human Rights Minister’s Remarks.”

⁵⁸¹ Informant 25: Supervisor of peer educators and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 27 Jan. 2012, Nov. 2012 and 14 Mar. 2013.

⁵⁸² Mouffe, *Agonistics*, 2.

experience substantial levels of discrimination and violence, often related to criminalising policies situated at the political level or stigmatising sociocultural attitudes. However, a transition from authoritarian rule can also signal new opportunities for sociopolitical transformation—for communities of sexual minorities to openly advocate for legal measures to support freedom from violence and discrimination, and for equal rights.

For sexual minorities in many countries in the Middle East and North Africa, their concerns in an increasingly conservative environment are often overshadowed when not made discernible enough, and groups acting for/on behalf of homosexual communities, such as HIV/AIDS organisations that work with marginalised populations, are routinely persecuted when the line between discretion and visibility is crossed. Vulnerable groups, in particular homosexual men, perceive and have also experienced increased degrees of marginalisation since the 2010 to 2011 Tunisia uprising. As a specific case study, I follow the experiences of some of the members of the homosexual community in Tunisia who established the organisation *Damj* (“reintegration”) to more effectively defend human rights and the rights of minorities, including lesbian, gays, bisexuals and transgender (LGBT) populations. Through this case study, I further examine how conflict is manifested among civil society groups and actors by looking to both the areas of these conflicts, as well as the consequences for these actors. In this chapter I analyse the third core theme of the thesis, namely the exclusionary (and undemocratic) nature of consensus in “liberal” democracies. The previous two chapters examine and illustrate Tunisia’s public spaces at their widest following the downfall of the Ben Ali regime, with the manifestation of a multiplicity of visions and priorities for post-uprising Tunisia. In the further mapping of democratic priorities, it is possible to observe in this chapter how these discursive spaces are at their most expansive point following political liberalisation measures, and then are gradually narrowed down. I argue that this discursive narrowing is a consequence of a fundamental democratic practice: consensus. Following a transition from authoritarian rule, consensus becomes a key mechanism to enforce hegemony as the post-revolution hierarchy of priorities is redefined and “other” is pushed to the periphery or negated entirely—or rather, the notion of the hegemony of consensus.

This chapter begins first with a theoretical exploration of the role of conflict and consensus in liberal democracies and the notion, as understood by Mouffe, of “conflictual consensus.” Once the exclusionary nature of consensus is further understood, I then situate the research with sexual minorities within the context of the disparate objectives of LGBT communities. This allows for the discussion of the key debates as they relate to identity politics, namely what these different movements aimed to achieve following the opening of Tunisia’s public spaces in 2011—whether they were for recognition, participation, equality, or freedom from violence. The chapter then describes the advances different members of homosexual communities made and the strategies they employed to manoeuvre in a highly contested post-revolution discursive environment. Finally, the chapter examines the core challenges, areas of conflict and contestations communities of sexual minorities encountered in trying to advance their objectives at the sociopolitical level. It emphasises the exclusionary nature of consensus as the actors and groups within civil society marginalise contentious issues to the periphery as they endeavour to win greater gains with the claim “now is not the time.” It also highlights the dilemma that some vulnerable groups may experience greater freedoms within secular-authoritarian regimes than within democratic societies.

1. Abandoning consensus, embracing dissent

At the core of deliberations on the nature of conflict between and among civil society actors is an underlying normative supposition that conflict is inherently destructive; more importantly, that it can fundamentally obstruct efforts toward creating more democratic and representative institutions. This normative frame is also inherent in neoliberal policies that support civil society organisations as critical agents for good governance. The preference for consensus over conflict among these different actors is implicit, as democracy requires consensus on leadership, national priorities, and identity. Conflicts among actors often characterised by solidarity, good will, and cooperation are perceived as a negative consequence. However, in *Agonistics*, Mouffe advocates for a permanent role and space for conflict. Mouffe’s aim is to re-position conflict within democratic society while

concurrently accepting the hegemonic nature of “every form of consensus.”⁵⁸³ Although she concentrates her argument on democracy and liberal theory, her main contribution is to underscore the genuine limits of pluralism while scrutinising the two dimensions she considers fundamental to politics: antagonism and hegemony.⁵⁸⁴ She writes:

What characterises democratic politics is the confrontation between conflicting hegemonic projects, a confrontation with no possibility of final reconciliation....This is what can be called “the moment of the political,” the recognition of constitutive character of social division and the ineradicability of antagonism.⁵⁸⁵

Mouffe delineates between agonistic and antagonistic forms of political confrontation in which there can exist (or should be allowed to exist) a permanent “conflictual consensus” between adversaries. This can be achieved through conceptualising “radical negativity,” which refers to the recognition that indeed there are a multiplicity of publics but that they are also divided—and moreover, that one should abandon the notion that these divisions can (or should) be overcome.⁵⁸⁶ At the core of the argument against a predilection for consensus is Mouffe’s conviction in the democratic framework despite her dissatisfaction with the neoliberal architecture itself. It is in fact the neoliberal framework that has re-institutionalised the preference for consensus in political and public spaces above all else in order to promote the virtues of democratic processes. Mouffe contends that this overemphasis on popular consensus, to the contrary, actually exacerbates the exclusion of marginalised views and “other.” In the *Democratic Paradox*, she argues, “Under the pretence of rethinking and updating democratic demands, their calls for ‘modernization,’ ‘flexibility’ and ‘responsibility’ disguise their refusal to consider the demands of the popular sectors which are excluded from their political and societal priorities. Worse even, they are rejected as ‘anti-democratic,’ ‘retrograde’...”⁵⁸⁷ She underscores the negative consequences of realising “rational consensus” and questions the underlying objectives of unanimity and homogeneity inherent in democracy and liberalism. Mouffe also criticises the Habermasian model of the “public sphere,” arguing not only in favour of pluralism but for the constitutive potential it has. She writes:

⁵⁸³ Mouffe, *Agonistics*, xi and 11.

⁵⁸⁴ Ibid., 14.

⁵⁸⁵ Ibid., 17–18.

⁵⁸⁶ Ibid., xii and xiv.

⁵⁸⁷ Mouffe, *The Democratic Paradox*, 6–7.

Pluralism is not merely a *fact*, something that we must bear grudgingly or try to reduce, but an axiological principle. It is taken to be constitutive at the conceptual level of the very nature of modern democracy and considered as something that we should celebrate and enhance.⁵⁸⁸

Mouffe underscores not only the necessity to abandon the overall aspiration for consensus without exclusion in the public space, but to also embrace the virtues of dissent, conflict, and a plurality of hegemonies. She writes, “The search for a consensus without exclusion and the hope for a perfectly reconciled and harmonious society have to be abandoned.”⁵⁸⁹ And while her contention is situated within the inner workings of the neoliberal framework, Mouffe is articulating something much grander on the nature of democratisation: that democracy (and the institutions that are inherently linked to it) *requires* conflict. She contends, “Conflict in liberal democratic societies cannot and should not be eradicated, since the specificity of pluralist democracy is precisely the recognition and the legitimization of conflict.”⁵⁹⁰ Hence, by understanding the desire for consensus as a negative consequence of hegemony, it is possible to see much more clearly the nature of the various conflicts and contentions that emerge among and between different civil society actors and groups, in particular during periods where there are perceived opportunities to reshape national identity. In mapping national priorities, exclusion and marginalisation become accepted practice in both symbolic and physical public spaces. This is in contrast to practices that safeguard discursive arenas where conflicts and differences can be constructively confronted.

Finally, Mouffe engages with democratic theory and the tenets of liberalism in order to advocate for the move away from aspirations for reconciliation, towards an “uncertain something else” where relations of power are more fundamentally and explicitly acknowledged—whereby it is possible to move toward something that is unstable, messy, even at times troubling and chaotic, but which may also ultimately provide the institutions associated with “liberal” democracy—including civil society, the most prolific opportunity for the expression of genuine political pluralism. The next section examines how and why

⁵⁸⁸ Mouffe, *The Democratic Paradox*, 19.

⁵⁸⁹ Mouffe, *Agonistics*, xi.

⁵⁹⁰ *Ibid.*, 7.

issues related to sexual identity and sexual minorities often manifest in public debates during key moments of sociopolitical transformation. This concerns the simultaneous emergence of movements seeking recognition and human rights in public spaces alongside populist reactions, or moral panics, among both secular and non-secular actors within and outside these spaces. The overall question is whether there is a place within civil society during transitions from authoritarian rule for the views and voices of marginalised communities.

2. Whose voice matters: situating the aims of sexual minorities

After the Tunisia 2010–2011 uprising, the designation of the hierarchy of concerns for the transition from authoritarian rule was articulated and re-articulated regularly in the drive for consensus on national priorities. A principal feature of transitions is that the “rules of the game” are no longer defined and therefore transitions from authoritarian rule can be highly uncertain, if not volatile processes.⁵⁹¹ Although one has the impression of “disorder”⁵⁹² during such periods, according to O’Donnell and Schmitter there is also “a context of expanding (if uncertain) choices, of widespread (if often exaggerated) hopes, of innumerable experiments towards the expansion of the political arena, and of manifold levels of social participation...the exultant feeling that the future is open...”⁵⁹³ In relation to post-revolution Tunisia, the expansion of space provided by the transition was also accompanied by a generalised perception of the “recovery of personal dignity”⁵⁹⁴ as leaders long considered morally bankrupt were ousted and new possibilities to rectify the residue of corruption were on the horizon. An example of this is the Tunisian revolutionary slogan calling for “work, freedom and dignity” as seen branded alongside posters featuring “*irhal*” (“leave/get out”) and “the people want the fall of the regime!”⁵⁹⁵

⁵⁹¹ O’Donnell and Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions*, 6.

⁵⁹² Ibid., 4.

⁵⁹³ Ibid., 19.

⁵⁹⁴ Ibid., 52.

⁵⁹⁵ Marzouki, “From People to Citizens in Tunisia.”

Populist issues and rumour, however, can often obscure the ordering of priorities subsequent to the downfall of an authoritarian regime. Such rumours and even myth-making can serve to exacerbate moral panics and scapegoat individuals and groups. The choices that civil society actors and groups make, in particular marginalised groups, are often predicated upon debates unfolding in the sociopolitical realm. In choosing strategies that involve publicity and visibility versus strategies that require discretion and invisibility, vulnerable groups, such as sexual minorities, must regularly gauge the terrain upon which they are operating. During political transitions for example, it is not uncommon prior to national elections to find issues concerning sex and the rights of sexual minorities high on the agenda. Issues such as abortion and rights for homosexual communities regularly feature in pre-election debates, as they arouse emotions concerning family and the imaginings of national identity; issues that are also accessible to constituents. Activists who are looking to advocate for recognition, such as for greater rights and freedom from discrimination, must routinely contend with moral panics and populist reactions.

For example, following the 2010–2011 Tunisia uprising there was a rise in public “conservative” or Islamist discourse(s) at the political and sociocultural levels. Perhaps for the first time, Tunisians participated in a range of debates as all issues for contestation were open; some of them were debates that many thought had been resolved following independence in 1956—such as temporary marriage, polygamy, the “problem” of single mothers, abortion, and even female excision.⁵⁹⁶ Sex in particular was back on the agenda. Dennis Altman characterised sexuality as an area of “constant surveillance and control” despite its inherent designation as that which is also “natural and private.”⁵⁹⁷ Moreover, Foucault situated the inter-manipulation of sex and power—and in particular the multiplication of discourses on sex—at the beginning of the eighteenth century in France, when there “emerged a political, economic and technical incitement to talk about sex...in the form of analysis, stocktaking, classification and specification.”⁵⁹⁸ From this period multiple discourses began to increasingly delineate between “legitimate alliances” and “illegitimate sexualities” where the “unnatural” materialised into an explicit dimension in

⁵⁹⁶ See: Borsali, “Tunisie: 8 Mars 2012 ou le Défi Egalitaire;” Meziou-Dourai, “A Propos du Mariage Coutumier;” and Khalsi, “Excision...ou les Prédications d’un Psychopathe.”

⁵⁹⁷ Altman, *Global Sex*, 2.

⁵⁹⁸ Foucault, *The History of Sexuality*, 24.

the analysis of sexuality.⁵⁹⁹ For Foucault, an entire “sub-race” came into view in which he pinpoints, “The homosexual becomes a species.”⁶⁰⁰ Within the French context, Foucault endeavoured to understand, “Why has sexuality been so widely discussed and what has been said about it? What were the effects of power generated by what was said?”⁶⁰¹ So in effect, what was gained from new and emerging discourses on sexuality following the downfall of the Ben Ali regime in Tunisia? And, who gained from speaking about them?

Nowhere can these mechanisms of power and control be better observed than in the emergence of the global HIV/AIDS epidemic in the early 1980s, which afforded scientists and government institutions great licence to monitor, map, and code “illegitimate sexualities” throughout the world. Referring to these multiple apparatuses of power as the “politics of AIDS,” Altman, along with Richard Parker, argues that HIV/AIDS has significantly changed our understanding of human sexuality.⁶⁰² And while he posits that HIV/AIDS has provided a global arena for more open discussions on sex and sexuality, it has also, according to Altman, “required new ways of thinking about the links between ‘private’ behaviour and public health, and the often huge discrepancies between actual behaviour and official ideology.”⁶⁰³ Perhaps it is the conflation between the increasing identification and categorisation of multiple “illegitimate sexualities” (as well as the systems and institutions to analyse and police them) and political discourses on disease, the spread of infection, and death that have in part led to “moral panics” at the sociocultural level and the growing practice of what Altman considers the “scapegoating” of human sexualities.⁶⁰⁴

Moral panics historically have often led to the adoption and justification of a number of measures to halt the spread of disease and/or individuals identified as threats to society. Altman argues, “‘moral panics’ can be understood as both specific populist reactions, and as calculated appeals by political and economic elites to these reactions as ways of winning popular support for other political shifts.”⁶⁰⁵ In post-revolution Tunisia, one is able to

⁵⁹⁹ Foucault, *The History of Sexuality*, 38–39.

⁶⁰⁰ Ibid., 39 and 43.

⁶⁰¹ Ibid., 11.

⁶⁰² Parker, “Sexual Cultures,” 68.

⁶⁰³ Altman, *Global Sex*, 75 and 83.

⁶⁰⁴ Ibid., 142.

⁶⁰⁵ Ibid., 143.

distinguish two facets of moral panics—the moral panic concerning the secular population’s response to the growing emergence of Salafist ideology and their physical presence in Tunisia’s new public spaces (as explored in the previous chapter)—and specific to this case, the increasing conservative backlash against “liberal” behaviour and identity associated with the immorality and corruption of the former regime.

Space for identity movements?

Similar to the concept of civil society and its underlying relationship to modernisation trajectories implicit within the neoliberal framework, the issue of homosexual identity and “liberation” also shares this linkage to modernisation projects. A country is increasingly deemed as modern or democratic depending upon the policies and laws it has in place to combat inequality and discrimination against LGBT communities.⁶⁰⁶ This trend can be seen in the international condemnation of Uganda and Russia in 2014 for their legal positions on homosexuality. Furthermore, it seems homosexual groups/organisations themselves are bestowed the recognition of modernity depending upon their chosen degree of visibility in public spaces—as activists calling for universal human rights, freedom from discrimination, and violence, or liberation. In “How Do You Say ‘Come Out of the Closet’ in Arabic?,” Jason Ritchie argues that for several LGBT activist organisations in the Middle East and North Africa, such as for the organisation *HaAguda*, “Visibility...is both a tactic and a goal, the means and the end of gay activism.”⁶⁰⁷ However, he questions whether homosexual communities “need or want to come out and attain visibility.”⁶⁰⁸ In considering the nature of the conflicts that emerged among civil society actors and groups following the uprising (and over which issues), it is necessary to ascertain whether or not, and to what degree, these groups were seeking political recognition or freedom from discrimination and violence.

Recognition could be related to identity, rights, or simply the freedom from discrimination and violence. Fraser identifies a shift in the post-socialist terrain in which groups of actors are no longer simply “economically defined classes” seeking an end to exploitation and means to greater distribution. Rather, these actors are also “culturally defined” groups and

⁶⁰⁶ See Altman, *Global Sex*, 91 and Saner, “Gay Rights Around the World.”

⁶⁰⁷ Quoting the Chair of *HaAguda*, Ritchie, “How Do You Say ‘Come Out of the Closet’ in Arabic?” 563.

⁶⁰⁸ Ritchie, “How Do You Say ‘Come Out of the Closet’ in Arabic?” 563.

“communities of value” seeking to preserve their identities and to attain recognition.⁶⁰⁹ However, Fraser also underscores the difficult choices subaltern and marginalised groups must routinely make between strategies of publicity and visibility, and the protection that invisibility and discretion offer. She argues, “It is not correct to view publicity as always and unambiguously an instrument of empowerment and emancipation. For members of subordinate groups it will always be a matter of balancing the potential uses of publicity against the dangers of the loss of privacy.”⁶¹⁰ Furthermore, in supporting the creation and safeguarding of spaces to allow room and the opportunity for a multiplicity of views and counter-publics to emerge through discursive contestation, “communities of value,” such as homosexual communities could encounter greater space to manoeuvre for recognition. She contends, “What will count as a matter of common concern will be decided precisely through discursive contestation. It follows that no topics should be ruled off limits in advance of such contestation. Democratic publicity requires positive guarantees of opportunities for minorities to convince others that what in the past was not public...should now become so.”⁶¹¹

The question remains as to whether or not there was in fact space in post-revolution Tunisia for the issue of homosexuality to emerge as a public issue. Issues concerning sex regularly featured in the media; however, they were manipulated by both liberal and conservative factions as a means to underscore the other’s own illegitimacy to rule following the downfall of the Ben Ali regime. Sex was being used by the secular elements of the population to highlight the more extreme or “conservative” tendencies of Ennahda for example, and by the Islamists to demonstrate the immorality associated with the Ben Ali regime (or secular regimes in general). So for both of these sides issues concerning sexual minorities were being debated within a non-neutral, and in fact heavily charged terrain. It is this conservative backlash against “liberal” behaviour that dictated the strategies LGBT communities would employ to bring issues of sexual identity and human rights to the discursive arena and into civil society following the 2010–2011 Tunisia uprising. The following sections describe the range of strategies these different groups used to place

⁶⁰⁹ Fraser, *Justice Interruptus*, 2.

⁶¹⁰ Ibid., 116.

⁶¹¹ Fraser, “Rethinking the Public Sphere,” 71.

issues for sexual minorities on the public agenda during the two years following the Tunisia uprising.

3. The expansion of space for homosexual communities?

At present it is illegal to engage in same-sex conduct in 78 countries, and in five countries—Mauritania, Saudi Arabia, Sudan, United Arab Emirates, and Yemen—the death penalty can be invoked for homosexual activity.⁶¹² The countries that have retained the death penalty all justify this punishment based on the foundations of Islamic law.⁶¹³ For other countries in the region, the penalty for sodomy in Bahrain is ten years' imprisonment; seven years in Kuwait; five years in Libya and Qatar; three years in Algeria, Morocco, Oman, Somalia, and Tunisia; and one year in Lebanon and Syria.⁶¹⁴ The number of individuals prosecuted or arrested for same-sex offenses in the Middle East and North Africa remains impossible to determine.⁶¹⁵

Alongside formal legal codes that persecute same-sex behaviour throughout the region, there is also discrimination, harassment, and violence committed by state security forces, as well as by individuals and groups at the community-level acting on their own sense of moral authority. There are examples across the Middle East and North Africa of the flagrant abuse of authority against homosexual communities and equally homophobic acts committed by individuals that consequently, through non-response, can indicate sanctioning by state entities. For example, in May 2001, the police raided a Cairo discothèque known as "Queen Boat;" of the 52 men eventually sent to trial, 23 were convicted and sentenced to prison terms of one to five years for "immoral behaviour and contempt of religion."⁶¹⁶ From early 2001 until 2004 (when the report was published), Human Rights Watch reported that it was aware of more than 170 men whose cases under the Egyptian law of "debauchery" were

⁶¹² Speech by the RT. Hon. John Bercow, MP, Speaker of the British House of Commons to the Kaleidoscope Trust IDAHO event, 16 May 2012, www.kaleidoscopetrust.com/features-bercow-speech-5-12.php. It is important to note that some activists and academics (such as the International Gay and Lesbian Association) cite 81 countries as outlawing same-sex acts and Iran is also reported to invoke the death penalty for sodomy; this also does not include the more recent passing of the Uganda Anti-Homosexuality Act in February 2014 that criminalises same-sex acts; see Whitaker, *Unspeakable Love*, 112 and 123.

⁶¹³ Whitaker, *Unspeakable Love*, 112.

⁶¹⁴ Ibid., 123.

⁶¹⁵ Ibid., 139.

⁶¹⁶ Human Rights Watch, *In a Time of Torture*, 2 and Crary, "Gays in Egypt, Tunisia Worry."

brought before prosecutors.⁶¹⁷ Furthermore, in March 2012 international human rights groups urged Iraqi authorities to investigate targeted killings against approximately 15 teenagers perceived to be gay. Young people with “emo-like” features such as tight-fitting clothes and “alternative” hairstyles were brutally stoned, beaten, or shot. It is even reported that some victims had their heads smashed with concrete blocks. The Iraqi Minister of Interior continues to deny any homophobic or “anti-emo” killings took place.⁶¹⁸ Finally and even more recently, 36 men were arrested in Beirut in July 2012 in an adult cinema. The men were subjected to anal examinations to determine whether or not they were homosexual.⁶¹⁹ These events at a minimum reflect the degree of stigmatisation and violence against sexual minorities throughout the Middle East and North Africa.

In part, this discrimination stems from discourses that situate homosexuality within the context of an imported phenomenon, or “western borrowing,” as well as firmly within colonial discourses. Moreover, these discourses allow intermittent moral panics to (re)surface at peculiar times, resulting in targeted discrimination and in some cases, brutality. Brian Whitaker attributes these crackdowns against homosexual communities on the part of the government as serving enough to “appease moral outrage and make an example of a few people, but not so many as to cast doubt on the public fiction that there is little or no homosexuality in the country.”⁶²⁰ Since the uprising, LGBT communities in Tunisia have experienced noteworthy advances and have advocated for greater rights for marginalised citizens and freedom from violence. However, they have also simultaneously faced considerable contractions in the space to manoeuvre at the political as well as sociocultural levels. The following two sections examine in more detail the conflicts and contentions that arose both within and outside civil society as homosexual communities attempted put issues of identity, human rights and freedom from discrimination on the post-revolution agenda. It looks to the case study of a group of men who worked as LGBT activists before the revolution and collaborated together through their work at one of the HIV/AIDS associations in Tunis. Several months after the Tunisia uprising, they legally

⁶¹⁷ Human Rights Watch, *In a Time of Torture*, 1.

⁶¹⁸ Associated French Press, “Rights Groups Urge Iraq to Investigate ‘Emo’ Killings.”

⁶¹⁹ See Human Rights Watch, “Lebanon: Stop ‘Tests of Shame’” and Assir, “Lebanon’s Gay Community.”

⁶²⁰ Whitaker, *Unspeakable Love*, 140.

established the organisation *Damj* or “reintegration” to defend human rights and the rights of minorities, including the rights of LGBT individuals.

Some openings, in some places

In 1996, post-Apartheid South Africa became the first country in the world to explicitly integrate protections for the rights of gays and lesbians into its constitution.⁶²¹ Since 1996, South African courts have decriminalised sodomy, ruled in favour of gay employees seeking benefits for their partners, and supported immigration appeals for foreign partners of homosexual South Africans. In “South Africa’s Democratisation and the Politics of Gay Liberation,” Sheila Croucher observes, “These gains are remarkable given the previously weak gay movement and the country’s already crowded political and economic agenda in the wake of Apartheid.”⁶²² She adds, “In South Africa, the availability of an anti-Apartheid master frame, rooted in respect for human rights and equality for all, helped galvanise gays and lesbians and to legitimate their demands in the eyes of politicians and society as a whole.”⁶²³ Given the historical precedent for increased opportunities and indeed success in putting greater rights for sexual minorities high on the agenda in other countries that passed through extreme periods of sociopolitical transition, it should come as no surprise that soon after the 2010–2011 uprising, different actors mobilised to take maximum advantage of these new spaces opening up in Tunisia. Tunisia’s LGBT communities perceived post-revolution opportunities for the expansion of freedoms—such as freedom from discrimination and violence. They worked to quickly maximise what could be achieved in what was perceived as a definitive window of opportunity following the fall of the Ben Ali regime in January and elections to the National Constituent Assembly in October 2011.

In one of the first instances, homosexual communities participated in the *Atakni* rally in October 2011 in protest of the significant conservative backlash against the broadcasting of the film “Persepolis”⁶²⁴ and to counter threats to the principle of freedom of expression. It is reported that several dozen youths carried a large rainbow flag marked with the word “PEACE.”⁶²⁵ Moreover, there were articles in the Tunisian press—Arabic, French and

⁶²¹ Croucher, “South Africa’s Democratisation,” 315.

⁶²² Ibid.

⁶²³ Ibid., 324.

⁶²⁴ Chawki, “Vidéo-Manifestation Contre La Violence et Pour La Liberté. ”

⁶²⁵ Collins, “Effemines, Gigolos, and MSMs,” 105.

English-speaking—on the issue of homosexuality that many observers agreed would not have happened during the Ben Ali era. There was also an online magazine *GayDay*, which was founded just after January 2011 by a group of “like-minded individuals” and maintained by Editor-in-Chief Fadi Krouj.⁶²⁶ In addition, the year 2012 marked the first year in Tunisia in which the LGBT community publicly celebrated the International Day Against Homophobia and Transphobia, including by launching a declaration on behalf of this community. The statement reaffirmed LGBT rights by claiming, “Stunned by the wind of revolt blowing over Tunisia, they no longer hid themselves, they fought for the right to employment and for dignity, as well as for sexual liberties.”⁶²⁷

Not long after the revolution a group of three LGBT activists worked to establish the non-profit charity *L'Association Tunisienne pour la Justice et l'Égalité* (The Tunisian Association for Justice and Equality), which was known as *Damj* (“reintegration”) in Arabic.⁶²⁸ The activists, Moazzam, Nasser, and Kader, each began their advocacy training in HIV/AIDS, starting out as volunteers while students in university. Moazzam explained during the research interview that he began his training as a peer educator in 2008 with one of the HIV/AIDS organisations with programmes in Sousse while undertaking his studies. At the time, his friend Kader had also decided to undergo training as a peer educator. After finishing his studies, Moazzam found paid employment in a call centre in Tunis but found the work depressing.⁶²⁹ A colleague of his was doing paid work with the same HIV/AIDS organisation in Tunis and eventually left his position. Moazzam then applied and was accepted to a position as supervisor of outreach work with sex workers.

Nasser served as a volunteer in Tunis from the age of 18, working with organisations such as the Red Crescent and Greenpeace. When I asked him during the research interview where he felt his spirit of volunteerism originated, he explained that his father had been a staunch advocate during the period when the Bourguiba government sought to modernise the old quarter of the medina in Tunis. His father fought against the government’s plans for many

⁶²⁶ <http://gaydaymagazine.com/>

⁶²⁷ Déclaration du 17 mai de la communauté LGBT Tunisienne, Mai 2012 featured in Krouj, 2012.

⁶²⁸ Homosexual women also eventually became involved in the development of the organisation *Damj* soon after its official establishment in Tunisia.

⁶²⁹ Informant 23: Outreach worker with sex workers, HIV/AIDS association and founder of *Damj*; Tunis, 24 Jan. 2012.

years with the proverb “one does not need to burn his own house to be modern;” eventually the medina was preserved. Nasser heard about the work of the HIV/AIDS organisation in Tunis early in 2004; however, he said there were rumours about the “actual nature” of the work the association was doing and thus initially he was afraid to volunteer with the group. However, in 2007 Nasser was the target of a physical assault. He went to the police, who initially worked with him, but eventually the case was dropped. No longer feeling safe in Tunis, Nasser moved to Sousse where Moazzam and Kader were living. His friends encouraged him to volunteer with the organisation, especially given the association’s anti-stigma programme. Soon after he began volunteering as a peer educator, he underwent a series of trainings on stigma and discrimination. He felt this helped him considerably on a personal level, something that he considers to this day changed his mentality entirely on his work. He eventually moved back to Tunis, where he acquired a paid position with the HIV/AIDS organisation as a supervisor of volunteers and outreach workers.⁶³⁰ Up until 2013, he continued to deliver anti-stigma training to key populations affected by HIV/AIDS in the communities in and around Tunis alongside his work with *Damj*.

Kader, meanwhile, began to volunteer with the HIV/AIDS organisation with its programme in Sousse, along with Moazzam and eventually Nasser. He made the decision to volunteer with the organisation after attending one of its HIV/AIDS awareness-raising sessions. He explained that at the time he was anxious about working with an organisation that engaged so outwardly in work with homosexual communities. While still a student in university, Kader conducted peer educator trainings and supported outreach to key populations affected by HIV. He had seen the work the organisation was doing with these populations in Tunis, and advocated the necessity to do similar work in Sousse. Eventually he was given permission from the head office in Tunis to conduct this work in Sousse. He laughed during the research interview as he explained that he set up an office in his own home with all the organisational “brochures, condoms, and lubrication!”⁶³¹ In 2009 he became a full-time employee with the organisation in Tunis to oversee outreach work with key populations affected by HIV. I later asked him what he studied in university. He remarked during the

⁶³⁰ Informant 25: Supervisor of key populations and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 27 Jan. 2012, Nov. 2012 and 14 Mar. 2013.

⁶³¹ Informant 26: Supervisor of key populations and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 30 Jan. 2012.

interview, “I studied civil engineering, and then I went back to do a degree in hotel management!”⁶³² He laughed once again knowing none of his degrees were ever applied, much the same with his colleagues working at the organisation.

The newly formed organisation *Damj* acquired its formal associational visa in October 2011 under the rubric of work in “stigma and discrimination and human rights.” The word *Damj* was chosen by the founders because it signified “integration” and alluded to the continued exclusion of minorities and other vulnerable groups at the time. Kader explained during the interview for the research:

We labelled the application as “the fight against stigma and human rights” because we felt it needed to be as general as possible in order for it to be accepted. [Members of] the LGBT [community] were some of the first groups to come out and speak about human rights before the revolution and we are the Tunisians who have been outwardly demonstrating against these injustices. On our marches and participation in the demonstrations, before and now, we bring the two flags—the LGBT flag and the Tunisian flag!⁶³³

Kader stated that as a new civil society organisation, *Damj* “wants to continue to mobilise young people to take this fight forward and to be strong advocates.” On its Facebook page (added in summer 2013), the organisation outlined its goal to participate in spreading the culture of universal human rights while specifically anchoring the principles of *citoyenneté* and equality among Tunisian citizens; highlighting the factors that exacerbate marginalisation and vulnerability; combating all forms of stigma and discrimination; developing partnerships and networks of mutual aims and understanding as they pertain to the fight against stigma and discrimination; and promoting human rights. Finally, the organisation advocates that it aims to support individuals in precarious situations, such as those who are victims of injustices, to help them to attain greater physical and moral integrity. In a follow-up research interview with one of the founders in March 2013, Nasser, who was also involved in the high-profile Tunisian graffiti urban art group *Zwela*,⁶³⁴ said that his organisation worked to advocate for the National Constituent Assembly to include issues

⁶³² Informant 26: Supervisor of key populations and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 30 Jan. 2012.

⁶³³ Informant 26: Supervisor of key populations and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 30 Jan. 2012.

⁶³⁴ See Ben Mhenni, “Le Graffiti n’a pas Bonne Presse.”

of equality and justice for minorities in the constitution, acknowledging however that a majority of the Assembly's members were "conservative." He hoped that *Damj* would be able to strengthen the rights of minority groups, including members of LGBT communities, and to document human rights abuses as a stronger advocacy tool for rights reform.⁶³⁵

In addition to the establishment of *Damj* after January 2011, different groups such as the Human Rights Observatory and the Tunisian Association for Minorities also came forward to engage more in the protection of individual human rights, including the rigorous documentation of human rights abuses against homosexual communities—abuses, some would argue, that had increased since the revolution.⁶³⁶ Moazzam asserted during the interview that there was significant violence and aggression against homosexual men including homicide, adding, "And of course we never see this information in the media, our friends tell us. There is no protection, there is not as much security, and this creates many problems. The law does not favour MSM [men who have sex with men]."⁶³⁷ In response to this perception of increasing violence a group of human rights lawyers came together to form the Human Rights Observatory. This organisation aimed to document and collect information related to HIV and human rights violations, including incidents of abuse. The information would be used to advocate greater attention to universal human rights. In the research interview with Walid, one of the principal proponents of the Observatory, he stressed that regionally the issue of human rights was a very serious challenge. "We will have to act now or we will lose this space," he said. "We have to adopt our discourse now so that this is not eventually turned against us. The rise in conservative discourse is worrying, and so we can no longer work as we did before."⁶³⁸

There was also a host of regional initiatives that arose following the Arab uprisings to specifically address how the revolutions across the Middle East and North Africa would impact upon LGBT communities. Shereen El Feki cites the example of the establishment in

⁶³⁵ Informant 25: Supervisor of key populations and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 27 Jan. 2012, Nov. 2012 and 14 Mar. 2013.

⁶³⁶ See Mersch, "No Gay Rights Revolution in Tunisia."

⁶³⁷ Informant 23: Outreach worker with sex workers, HIV/AIDS association and founder of *Damj*; Tunis, 24 Jan. 2012; it is important to note that during the interviews with outreach workers working in HIV, they often used the technical term "MSM" (men who have sex with men) to refer to homosexual communities.

⁶³⁸ Informant 36: Founder and lawyer, human rights association; Tunis, 16 Feb. 2012.

2010 of *Mantiqitna Kamb* (our region's camp). The regional network provides the opportunity for individuals working in the LGBT community to participate in clandestine workshops on issues such as sexuality, gender, and activism, as well as training on life skills. The network stipulates that its key aim is to connect less through gay identity and more through Arab identity.⁶³⁹ Through the regional network, Kader and Nasser were able to attend a meeting organised in Turkey shortly after January 2011 of more than 70 members of LGBT communities throughout the region. Nasser explained during the interview that the rationale behind holding this meeting in Turkey was that Arabic was not widely spoken there and therefore outsiders would not be able to understand them. He went on to state during the research interview, "We wanted to make sure that everyone at this meeting was from this region as we felt this was our problem and we need to come up with our own solutions. So we tried to exchange experiences of this (the Arab uprisings) and learn from each other."⁶⁴⁰ In the follow-up interview with Nasser regarding the regional meeting, he remarked, "We felt we needed to be prepared because we were afraid of the worst....There were many ideas but there were also so many different priorities among these [LGBT] groups."⁶⁴¹

Finally, activists and academics working in HIV/AIDS, in particular with homosexual communities, used the finalisation of the 2012–2016 National Strategic Plan (NSP) to Fight AIDS in Tunisia as a primary example of the advances that could be made in the post-revolution window of opportunity. Bio-behavioural surveys conducted in 2009 and again in 2011 indicated HIV prevalence of 4.9 and 13 percent, respectively, in men who have sex with men (MSM).⁶⁴² The UNAIDS UNGASS Report (Tunisia 2012) underscored the significant impact of the revolution in Tunisia and the subsequent effects of sociopolitical turmoil on the overall health system.⁶⁴³ It indicated that administrative and key management functions

⁶³⁹ El Feki, *Sex and the Citadel*, 270. For additional information see: www.mantiqitna.org

⁶⁴⁰ Informant 25: Supervisor of key populations and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 27 Jan. 2012, Nov. 2012 and 14 Mar. 2013.

⁶⁴¹ Informant 25: Supervisor of key populations and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 27 Jan. 2012, Nov. 2012 and 14 Mar. 2013.

⁶⁴² Le Programme National de Lutte Contre le Sida, 8.

⁶⁴³ The United Nations General Assembly Special Session (UNGASS) on HIV/AIDS took place in 2001 and produced a declaration of commitment on HIV/AIDS setting out national targets and global actions to reverse the HIV epidemic. See: www.unaids.org.ua/un_support/strategies/UNGASS

were practically paralysed during the majority of 2011.⁶⁴⁴ Given these higher levels of prevalence, the 2012–2016 NSP not only highlighted strategic objectives to intensify targeted prevention and education work with sexual minorities, but also underscored the need to conduct advocacy regarding the current legal and juridical frameworks in Tunisia—Article 230 of the penal code⁶⁴⁵—which criminalises same-sex behaviour and specifies penalties of up to three years in prison.⁶⁴⁶ During the research interview with Radi, an academic and activist who worked on many of the HIV/AIDS bio-behavioural studies conducted among youth and key populations at higher risk in Tunisia, he argued that he and his colleagues would not have had the courage to produce a similar NSP before January 2011. He stated:

The NSP went through without exceptions....Each time different actors are saying, “now is not the time to be doing work on MSM,” but we now have very real and worrying data so now *is* in fact the time to push these boundaries and now is the time to act....But this can go against our objectives if we are not careful.⁶⁴⁷

Following the 2010–2011 uprising, the founders of *Damj* chose to operate increasingly in Tunisia’s expanding public spaces as greater opportunities to advocate for more peripheral issues were perceived. The members of the organisation engaged in strategies of publicity and visibility through a range of mechanisms that reflected the experience they gained in working with one of the larger HIV/AIDS associations prior to the revolution. Through the organisation they gained skills in advocacy, mentoring, campaigning, mobilising against stigma and discrimination, and perhaps most importantly, the ability to manoeuvre through and between disparate networks at the national and regional levels. *Damj* initially perceived the new openings with the formal changes to the laws of association as a key opportunity to establish their own organisation. This provided them a platform to work with other organisations such as human rights organisations and regional LGBT networks to advocate further for the rights of sexual minorities in Tunisia. They engaged in public advocacy with the National Constituent Assembly to advocate for the inclusion of freedom from discrimination in the new constitution. They also increasingly came to rely on social media such as Facebook to demonstrate the objectives of their organisation as well as to

⁶⁴⁴ Le Programme National de Lutte Contre le Sida, 33.

⁶⁴⁵ See: www.jurisitetunisie.com/tunisie/codes/cp/cp1200.htm.

⁶⁴⁶ Minister of Public Health and the National Programme to Fight HIV, 45.

⁶⁴⁷ Informant 30: Academic, HIV and gender; Tunis, 7 Feb. 2012.

participate in international commemorative days such as the International Day Against Homophobia and Transphobia. These bold strategies to engage more fully in the national political terrain were intended as tools to expand the discursive arena and to contest what was perceived as repression against sexual minorities. However, given what could be characterised as an often violent ordering and re-ordering of post-revolution priorities following a transition from authoritarian rule, homosexual groups also faced the challenge of a rising “conservative” backlash against the “immorality” associated with the former regime.

4. Contracting spaces for discursive contestation: “now is not the time”

Before the Tunisia uprising, the former regime supported interventions to engage in outreach work with homosexual communities and permitted the United Nations Development Programme (UNDP) and the Joint United Nations Programme on HIV/AIDS (UNAIDS) to conduct in-depth bio-behavioural research on multiple categories of homosexual practice across the different regions of Tunisia. From 2011–2013, however, a sequence of highly public incidents re-animated national discussions and subsequent moral panics on the moral-ethical dimensions of homosexuality.⁶⁴⁸ Shortly after I arrived in Tunisia in January 2012, a lengthy YouTube video purported to depict Ali Laarayedh, the newly appointed interior minister (and eventual prime minister in 2013) engaging in a sexual act with a male fellow inmate in a prison cell.⁶⁴⁹ It was reported that the video was filmed while he was imprisoned for nearly 15 years as an oppositional figure under Ben Ali. The broadcasting of the video sparked outrage and condemnation within the government, the media, and among civil society actors and groups, and allowed many to further underscore the cruel tactics of the former RCD party and the security apparatus of the shadow state. However, the video also served to highlight the more general phenomenon of homophobia in the Arab world and globally. Kader stated during the research interview, “Homosexuality is used to humiliate someone in the worst way possible, it is the first thing someone raises

⁶⁴⁸ Collins, “Effemines, Gigolos, and MSMs,” 104.

⁶⁴⁹ See Baeder, “Release of Unauthenticated Prison-Sex Video.”

now to humiliate and embarrass...to delegitimize political figures for example [referring to the video].”⁶⁵⁰

During the two years following the 2010–2011 uprising, spaces for political expression and for democratic liberalisation in the political realm expanded; however, sociocultural spaces regarding what was acceptable in the post-revolution era simultaneously contracted. Often individuals would remark that “now is the right time to talk about everything in Tunisia,” but that in reality it seems that “everything” had its limits. Homosexuality in Tunisia, for example, is virtually forbidden at three principal levels. At the political level, Article 230 of the Tunisian penal code criminalises same-sex relations for up to three years in prison and at the time of writing the law still applied.⁶⁵¹ At the religious level, in a country that is approximately 98 percent Muslim, homosexuality, while not being officially *haram* in the Qur’an, is forbidden in Sharia, and the punishments vary according to the school of *fiqh* (Islamic jurisprudence). Finally, at the sociocultural level homosexuality is highly stigmatised in the media (including online, print, and television) and at the community level, in families, and in the workplace. Kader observed during the research interview, “Our society is schizophrenic, people say one thing and do the complete opposite.” He used the example of alcohol consumption, referring to men in bars drinking alcohol who at the same time insist that homosexuality is *haram*. In Kader’s analysis, “The act of homosexuality is one thing, speaking about it is another. It is not the act that is forbidden here it seems. It is saying you are ‘homosexual.’ When you want to express yourself, it is here where the problems begin.”⁶⁵²

In interviews with LGBT activists in the Middle East and North Africa one will quickly observe that many are well read in the specific legal verses of the Qur’an as this is an essential strategy and tool in their advocacy arsenal. Radi, a sociologist interviewed for the research, felt that increasingly to reach his audience he could not simply rely on his scientific audience—he also had to refer back to Arab–Muslim culture to reach what he perceived as

⁶⁵⁰ Informant 26: Supervisor of key populations and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 30 Jan. 2012.

⁶⁵¹ See: “Tunisia jails six students for homosexuality.”

⁶⁵² Informant 26: Supervisor of key populations and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 30 Jan. 2012.

a more religious audience to make his point and to win his arguments.⁶⁵³ For example, some would argue quite fiercely that nowhere in the Qur'an is homosexuality *haram*, or forbidden. Whitaker for example contends, "While Islamic teaching often provides a rational for anti-homosexual laws the law in practice is shaped mainly by the prevailing attitudes in each country, and particularly by the extent to which government seeks to police personal morality."⁶⁵⁴ Whitaker cites Scott al-Haqq Kugle's challenge to more traditionalist views as he asserts that the issue of homosexuality is not addressed anywhere in the Qur'an nor is there any evidence that the Prophet [Muhammad] ever punished people for same-sex acts.⁶⁵⁵ The experience of Nasser also underscored the necessity for activists to understand the Sources in order to effectively engage in debates as they relate to homosexuality in Islamic contexts. He pointed out during the interview for the research:

People here are also saying "this homosexuality" is something new, brought after the revolution by westerns and occidentals. However there is no sanction against homosexuality in the Qur'an, all sins in the Qur'an have a punishment or sanction but not homosexuality....We try to convince people that our behaviour is not *haram* but they now block and become violent. The sources of Islam—the Qur'an and the *hadiths*—are silent on the issue of homosexuality.⁶⁵⁶

Nevertheless, prevailing conservative attitudes in Tunisia perceived homosexuality to be not only an illegal act, but also as a behaviour permitted under the "corrupt" and "impious" Ben Ali regime. In the research interview with Nasser, he remarked that the LGBT community in Tunisia became afraid shortly after the 2010–2011 uprising; eventually it was reported that hundreds of sexual minorities left Tunisia. Nasser and Kader had both been subject to physical violence after 14 January 2011 through attacks on the street or in known safe spaces for homosexual men. According to Nasser, "Before the 14th, the gay community in Tunisia did not necessarily live freely, but at least we lived in security....Since the 14th, homophobic acts are clear and direct. Now everyone gives himself the right to criticize our way of dressing, to stare or to physically assault us."⁶⁵⁷ Intruders physically beat Kader as he tried to protect one of the known gay safe spaces from their entrance. His friend Nasser said

⁶⁵³ Informant 30: Academic, HIV and Gender; Tunis, 7 Feb. 2012.

⁶⁵⁴ Whitaker, *Unspeakable Love*, 113.

⁶⁵⁵ *Ibid.*, 119.

⁶⁵⁶ Informant 25: Supervisor of peer educators and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 27 Jan. 2012, Nov. 2012 and 14 Mar. 2013.

⁶⁵⁷ Informant 25: Supervisor of peer educators and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 27 Jan. 2012, Nov. 2012 and 14 Mar. 2013.

that these events were rare before the revolution. As to whether this was a traumatic experience for him, Kader shrugged his shoulders and said, “*Je reste et je résiste encore*”—I am staying and I am still resisting.⁶⁵⁸

Some would argue that during the Ben Ali regime, the LGBT community was not singled out because repression was targeted at political dissent in the form of opposition. However after the Tunisia uprising, as one member of the LGBT community in Tunisia remarked in a press interview, “Don’t forget the Islamist parties who are trying to play the role of judge right now, and who view homosexuality and the gay community as a product of the former regime.” He added, “They call it ‘rot’ that must be cleaned away.”⁶⁵⁹ Some also argued that while there was indeed a specific article of the penal code that penalised same-sex acts, it was not applied in practice. However, members of the homosexual community reported having direct experience of the law being applied in practice as well as in theory even following the revolution. Nasser mentioned during the interview a friend who was reportedly robbed and beaten. The police caught the two perpetrators, who then argued to the police that the victim was homosexual. Soon the victim himself was threatened with 11 months incarceration under Article 230 of the penal code. Eventually he received a jail sentence of two months and was forced to sign a confession that he was homosexual and had broken the law; similar arrests are made under the offense of “*atteinte a la pudeur*”—for being at risk of offending the moral sensibilities of the population.⁶⁶⁰

There was (and continues to be at the time of writing) a blurred conflation between the legal, the religious, and the moral in the post-uprising government, media, and society in Tunisia. For example, in February 2012 newly appointed Minister for Human Rights Samir Dilou was quoted in a television interview speaking of homosexuality as “a perversion to be medically treated” and that “freedom of expression has its limits.”⁶⁶¹ Of concern for human rights activists in Tunisia was the contradiction of “*pas les droits de l’homme, mais les droits*

⁶⁵⁸ Informant 26: Supervisor of key populations and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 30 Jan. 2012.

⁶⁵⁹ As cited in Crary, “Gays in Egypt, Tunisia Worry.”

⁶⁶⁰ Informant 25: Supervisor of peer educators and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 27 Jan. 2012, Nov. 2012 and 14 Mar. 2013.

⁶⁶¹ Baeder, “Tunisian Human Rights Minister’s Remarks.”

de certains hommes”—not of human rights but of rights only for some.⁶⁶² Furthermore, in response to the demonstration organised on 28 January 2012 for liberty (and against violence) during which the LGBT rainbow flag was again featured, a Tunisian talk-show host (who also interviewed the human rights minister during which the aforementioned comments were made) condemned the protesters on his Facebook page, writing, “Do we need further strife because a very small minority expresses its perversion...not caring about the feelings and the sacred beliefs of a majority?”⁶⁶³

In the research interview with Ouroub, an employee of one of United Nations country offices based in Tunis, she explained, “In a way they [homosexuals] were a bit protected by the former system, but now this is perhaps the population which is the most stigmatised by the government, by the police and the larger society. They have suffered a lot of violence and unfortunately with this population they also have the highest HIV prevalence.”⁶⁶⁴ Moreover, she remarked, “So in a sense you have this enormous new opening but also very high and somewhat new stigma that was not there before.”⁶⁶⁵ The experience of the LGBT activist Moazzam also underscored the more “conservative” backlash against sexual minorities following the revolution. He stated during the interview, “They (Ennahda) played on their words, on God and on religion, this is what I see at this time. Nothing is sure for the rights of homosexuals, personally I do not feel safe, I even have friends who have left the country out of fear.” He added “*Actuellement, je ne veux pas vivre ici*”—These days, I do not want to live here.⁶⁶⁶

Reports of discrimination and violence against LGBT communities in Tunisia both before and after the Tunisia uprising spurred members to advocate for the addition of freedom from stigma and violence to the democratic reform agenda. However, greater advocacy for the expansion of the post-revolution liberalisation terrain was met with voices encouraging caution at home and abroad as even civil society actors and groups warned that “now is not

⁶⁶² Informant 36: Founder and lawyer, human rights association; Tunis, 16 Feb. 2012.

⁶⁶³ Baeder, “Tunisian Human Rights Minister’s Remarks.”

⁶⁶⁴ Informant 20: Country officer, multilateral development organisation; Tunis, 16 Jan. 2012 and 13 Mar. 2013.

⁶⁶⁵ Informant 20: Country officer, multilateral development organisation; Tunis, 16 Jan. 2012 and 13 Mar. 2013.

⁶⁶⁶ Informant 23: Outreach worker with sex workers, HIV/AIDS association and founder of *Damj*; Tunis, 24 Jan. 2012.

the time.” For the research, I interviewed a group of journalists from a newly established Tunisian news English-language website who had recently published an article on homosexuality in Tunisia, just less than one year after the uprising.⁶⁶⁷ Despite warnings from the website’s lawyers not to publish the article, the piece drew a range of responses from both within and outside homosexual communities (including many reactionary blog commentaries). Muammar, one of the founders of the website and a former public health professional working in HIV/AIDS, remarked in the research interview, “In 2011 there was so much opportunity to take that space and LGBTs and most liberals did not act or were afraid to act. We were very disappointed as the NGOs in general have taken a very hands-off approach with the media.”⁶⁶⁸

According to the journalists, when the article was being developed they asked a number of members of the LGBT community if the transition government should prioritise issues for homosexual populations. They reported that most if not all responded in the negative, arguing that “this was not the time;” furthermore, several consulted felt it would never be a good time. In discussing Fedi’s viewpoints and opinions, the article states that “despite his strong conviction about the need for legally guaranteed rights for the homosexual community, [he] thinks that it is still too soon to officially demand them from the government...” Fedi was quoted as saying, “Such a move would only destabilize the situation in which we are living, and cause more violence and more insecurity.”⁶⁶⁹

Voices of caution also came from secular civil society actors and groups that filtered and re-ordered the reform agenda within Tunisia’s expanding public spaces. For example, following the comments made against homosexuality by the human rights minister in February 2012, a number of individuals from LGBT communities signed a petition advocating for the homophobic comments made by the minister to be addressed by the Tunisian League of Human Rights (LTDH) as an illustration of the need to tackle homophobia in the new constitution. Despite the petition and open confrontation during one of the meetings of the organisation, the human rights association concluded that “now is not the time to address

⁶⁶⁷ Samti and Belkhiria. “Gay Tunisia: A ‘Don’t Ask, Don’t Tell’ Situation.”

⁶⁶⁸ Informants 27: Co-founder and journalists, English news website/media; Tunis, 30 Jan. 2012.

⁶⁶⁹ As quoted in Samti and Belkhiria, “Gay Tunisia: A ‘Don’t Ask, Don’t Tell’ Situation.”

these issues in Tunisia.” Even when one looks outside the country across the Middle East and North Africa in the post-Arab uprising era, members of LGBT organisations themselves advise against engaging in overt advocacy for greater rights for homosexual communities, such as establishing new LGBT associations. El Feki describes a member of a well-known LGBT organisation in Lebanon advising caution to homosexual communities in Egypt, for example stating, “Now is not the time to say in Egypt, ‘I want to establish an LGBT organisation.’ There are foundational things that need to be laid first. You’re talking about a society in a huge sway of transition, and the building blocks of a more open and democratic society need to be laid down first.”⁶⁷⁰

Perhaps it should come as no surprise that even actors from within homosexual communities (both nationally and in the broader region) did not have consensus on whether or not freedom from violence and discrimination should feature as critical post-revolution priorities. During a transition from authoritarian rule the space available for “other,” in particular minority groups, shrinks as civil society actors and groups attempt to make as many “wins” as possible without thwarting or reversing gains made. Voices are regularly marginalised in the name of democracy and consensus as different groups and issues emerging within civil society are often sidelined in favour of what is “acceptable” and featuring what Tunisia’s new national identity should resemble. Consequently one observes a minority that could move with relative freedom under the former system finding itself being excluded from the new imaginings of the Tunisian state. During my return visit to Tunisia in March 2013, I learned that all three of the men who established *Damj* to defend greater human rights at the national level had left Tunis for reasons of security—because they felt unsafe as homosexual men in post-revolution Tunisia. Moazzam and Kader were given asylum in Europe and the United States, respectively, and Nasser moved outside of Tunis to an environment where he could find more like-minded peers. I interviewed Nasser on my return visit about these changes. He said during the interview that he thought Kader never recovered after the violence he experienced soon after the end of the uprising in January 2011 (when he was robbed and beaten). He remarked that many of his own friends had left Tunisia following the uprisings and that this has been a difficult time for him and his

⁶⁷⁰ El Feki, *Sex and the Citadel*, 269.

peers. He concluded by saying that homosexual attacks were regular and that individuals were even killed.⁶⁷¹ The way the violence is explained, he remarked, is that it never relates to homosexuality (but rather to random untargeted acts of crime or violence) so these instances of violence continue to be impossible to prove.⁶⁷²

Conclusion

Moments of sociopolitical transformation illuminate both how spaces expand and sharply contract for a multitude of different actors and groups. More importantly, these spaces may contract for some actors but expand for others. At the height of the post-uprising expectations for democratisation in Tunisia following the downfall of the Ben Ali regime in 2011, Tunisia's symbolic and physical public spaces were perhaps at their widest. A multiplicity of discursive arenas materialised in which civil society actors and groups articulated their aspirations and priorities for post-uprising Tunisia. In the two years following the uprising, these spaces gradually narrowed for some actors as the hierarchy of priorities was further defined and some views (and voices) were pushed to the periphery. This eventual narrowing of spaces not only demonstrates the uncertain and unstable nature of democratisation, but also the power of consensus to exclude concerns that do not align with the new imaginings of a country's national identity.

Following the 2010–2011 Tunisia uprising, a variety of shifting priorities were fiercely contested within a multiplicity of discursive arenas where dominant publics sought to marginalise and enforce the hegemony of consensus. This marginalisation was facilitated through moral panics produced at both the political and sociocultural level seeking manifold forms of transitional justice associated with the impiety and corruption of the former regime. These moral panics also heavily featured sex as a topic for national debate. Multiple discourses on sex eventually permitted both the “liberal” and the “conservative” factions to emphasise the other's unsuitability to govern post-revolution Tunisia. Each side could gain as these discourses scapegoated minorities and marginalised new voices attempting to be heard in Tunisia's public spaces. Some members of vulnerable groups perceived a post-

⁶⁷¹ Ben Ammar, “Les Islamistes Tuent des Gays.”

⁶⁷² Informant 25: Supervisor of peer educators and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 27 Jan. 2012, Nov. 2012 and 14 Mar. 2013.

revolution environment where they would likely continue to encounter marginalisation at multiple levels and in which their own personal sense of security and well-being would remain uncertain. Actors who were hoping to maximise opportunities to widen the discursive arena, such as through the touchstone issue of homosexuality, ultimately had to weigh the benefits of visibility to advocate for greater inclusion and freedom from discrimination against the risks of further violence and personal insecurity.

Some members of homosexual communities were able to make remarkable advances within post-revolution Tunisia by adopting different mechanisms to contest the hegemonic transition discourse(s). These actors explicitly chose to engage in a range of strategies to advocate recognition and freedom from discrimination alongside the numerous priorities tabled for discursive contestation. Actors working within these communities participated in Tunisia's public spaces through combined strategies of publicity and visibility such as participating in public demonstrations articulating the need for recognition through symbols such as the rainbow flag; appropriating social media such as Facebook to demonstrate solidarity to the International Day Against Homophobia and Transphobia; establishing a formal civil society organisation to combat stigma and discrimination against minorities; publicly countering homophobic statements in the media through mass petitions; and working through a range of national and regional networks such as human rights groups, to articulate solutions to challenges for sexual minorities in Tunisia. They even altered their typical advocacy discourse to feature more Islamist language to engage with more "conservative" communities at the sociocultural level.

Nevertheless, these actors also believed they encountered increased marginalisation at the individual/personal-level as an outcome of this growing visibility at the political and sociocultural levels—even from actors within civil society cautioning that "now is not the time." This was also exacerbated by a series of public incidents featuring disparate dimensions of homosexuality, including homophobic statements made by the newly appointed human rights minister and media figures shortly after the uprising. Following the field research, the issue of freedom from discrimination and violence for homosexual communities continued to spark controversy and contention in Tunisia as several Tunisian students were imprisoned on official charges of homosexuality (Article 230 of the penal

code) in 2015.⁶⁷³ The justice minister under the new secular government, Salah Ben Aissa, subsequently called for the removal of Article 230; he was dismissed from his post the following month, in October 2015.⁶⁷⁴ In one case, six students were given the maximum sentence of three years. Moreover, Human Rights Watch reported that from 2010–2011 ten homosexual men in Tunisia had been killed in hate crimes.⁶⁷⁵

This chapter examined the third and final theme of the thesis, specifically the exclusionary nature of consensus in “liberal” democracies. In continuing to analyse how conflict is manifested among civil society actors and groups, it traced the areas of these contestations and their consequences for these actors and more broadly. In this chapter, rather than critical conflicts and contestations emerging between secular and Islamist groups, as demonstrated in the previous chapter, the areas of contestation were over key touchstone issues such as sex and homosexuality. Issues concerning sexual minorities often spark intense debates on identity politics, socioreligious norms and the influence of Western understandings of liberalism as they relate to human rights and equality. More importantly, in the case of Tunisia, they aroused contention among both secular and Islamist civil society actors and groups. As many Tunisians felt “now is not the time” to highlight human rights abuses against homosexual communities or to advocate for changing criminalising penal codes, the consequence was an effective discursive narrowing following earlier political liberalisation measures to expand these spaces. This discursive narrowing is a consequence of a fundamental democratic practice, consensus. The ideal of consensus allows a host of actors to exclude and negate alternative views through the hegemony of consensus. Moreover, through the neoliberal framework the preference for consensus has been re-institutionalised to promote the virtues of democratisation. Following a transition from authoritarian rule, consensus effectively becomes a key means to enforce hegemonies as the post-revolution hierarchy of priorities is redefined and “other” is pushed to the periphery or negated entirely. Consequently, consensus becomes a critical mechanism through which conflicts are muted and discursive arenas are squeezed. In the absence of

⁶⁷³ See: “Tunisia jails six students for homosexuality” and McCormick-Cavanagh, “Tunisia LGBT group battles for justice.”

⁶⁷⁴ See: “Tunisia jails six students for homosexuality.”

⁶⁷⁵ McCormick-Cavanagh, “Tunisia LGBT group battles for justice.”

these conflicts, there is little evidence as to whether or not genuine discursive contestation is taking place.

Change and continuity

Chapter VII. Conclusion

I was, I am and I will remain an activist. I will stay in this county, it is mine and I will not let it go.

--LGBT activist, Tunisia⁶⁷⁶

The image I keep thinking of is a mother giving birth to her child, with cries of pain. Out of this, I think we can grow into a Tunisia that's more modern, open, and tolerant.

--Tunisian activist⁶⁷⁷

The year 2014 marked a milestone in Tunisia's evolution and in the post-"Arab Spring" era as the country ratified a new constitution and elected a new president. In January of that year, the National Constituent Assembly adopted the new constitution based on the consensus of the majority, thereby putting an end to the political stalemate between secular and Islamist factions in which the country had been mired for more than two years.⁶⁷⁸ Moreover, in October 2014, Beji Caid Essebsi, who briefly served as a transitional prime minister in 2011 immediately following the downfall of the Ben Ali regime, won 55 percent of votes cast as the candidate of the secular *Nidaa Tounes* party. Essebsi, a former three-time minister under Bourguiba, was confirmed as the winner of Tunisia's "first free presidential election" since independence from France in 1956.⁶⁷⁹ Nevertheless, it is estimated that over half of the new 86 *Nidaa Tounes* parliamentary members are former members of the RCD party, reflecting both change and continuity in the years following the 2010–2011 Tunisia uprising.

Tunisia, a country of approximately 11 million inhabitants wedged between Algeria and Libya in North Africa, has claimed a number of firsts since the Arab uprisings began in early

⁶⁷⁶ Informant 26: Supervisor of key populations and outreach worker, HIV/AIDS association and founder of *Damj*; Tunis, 30 Jan. 2012.

⁶⁷⁷ As cited in Crary, "Gays in Egypt, Tunisia Worry."

⁶⁷⁸ Grote, "The New 2014 Tunisian Constitution."

⁶⁷⁹ Byrne, "Tunisia Elections."

2011, including being the first country to bring down a repressive dictator and the first to hold peaceful democratic elections. The small country nourished expectations globally that a higher standard of democracy was being put forward, cultivated, and led by the will of the people. In effect, every move in Tunisia's political and public spaces was intensely monitored by both those within and outside the country. Moreover, the "resurrection of civil society" captured the attention of activists, associations, academics, decision-makers, and international donors who once again attempted to determine whether there is a role for civil society actors during a transition from authoritarian rule. On 10 October 2015, almost five years after the Tunisia uprising, a handful of civil society organisations known as the Tunisian National Dialogue Quartet were awarded the Nobel Peace Prize for their "decisive contribution to the building of a pluralist democracy in Tunisia" following the 2010–2011 uprising.⁶⁸⁰ These four organisations were the Tunisian General Labour Union (UGTT), the Tunisian Confederation of Industry, Trade and Handicrafts (UTICA), the Tunisian Human Rights League (LTDH), and the Tunisian Order of Lawyers. While praising the Tunisian groups' specific work, the Norwegian Nobel Committee indicated that the honor also reflected on civil society actors more broadly. The press release regarding the 2015 prize, posted on the committee's official website, states that "the transition in Tunisia shows that civil society institutions and organisations can play a crucial role in a country's democratisation, and that such a process, even under difficult circumstances, can lead to free elections and the peaceful transfer of power."⁶⁸¹ As observed in the social movements of Eastern Europe and Latin America in the 1980s, and across the neoliberal framework today, civil society has come to serve as a torchbearer for democracy and simultaneously as the antithesis to authoritarianism.

This thesis undertook both a conceptual and an empirical analysis of civil society in Tunisia by focusing on many of the sector's actors during a two-year period of critical sociopolitical disruption and transformation following the downfall of the Ben Ali regime. In particular, it analysed how and why different conflicts and cleavages emerged among civil society actors and groups after the Tunisia uprising. As an initial point of departure I recognised that just

⁶⁸⁰ See: "The Nobel Peace Prize for 2015," available at: www.nobelprize.org/nobel_prizes/peace/laureates/2015/press.html.

⁶⁸¹ Ibid.

as there are areas of consensus and solidarity among these actors, there are also matters over which there is intense disagreement and divergence. Therefore, just as there is harmony and inclusion, there is also conflict and exclusion. Within the context of a transition from authoritarian rule and a national drive toward democratisation, I endeavoured to further understand these exclusions. Hence, the overarching question for the research was to consider how conflict is manifested among civil society actors and groups. This was undertaken primarily to examine the areas in which these conflicts took place and the specific consequences of these contestations. I conducted this research within the post-uprising context in order to both 1) shed further light on these conflicts as they emerged in the country's expanding symbolic and physical discursive arenas, and 2) determine whether these conflicts served as productive forces to maintain discursive contestation as Tunisia pursued a pluralist democracy. Furthermore, because these conflicts assumed vital importance following the downfall of a dictatorship and at a time when issues such as the status of women, human rights, the freedom of the press, legalised prostitution and homosexuality became critical matters of contestation regarding Tunisia's post-revolution national identity, I contend that these conflicts are indeed consequential and worthy of further scrutiny.

As the principal context of the research is grounded in the events that occurred during the two years subsequent to the 2010–2011 uprising, the thesis identified and explored three principal themes: the “illiberal” effects of the opening of the public space(s), the emerging sociocultural and socioreligious divisions (including the rise of associational or social Islam), and finally the exclusionary (and undemocratic) nature of consensus in “liberal” democracies. Effectively, these three themes underscore the premise that civil society became more conflictual and contested among and across its diverse elements following the Tunisia uprising compared with the situation previously under authoritarian rule. The research observed a range of actors that emerged to fill Tunisia's public spaces following the implementation of political liberalisation measures in the immediate months following the departure of the Ben Ali regime. These groups not only included social welfare provision organisations but also organisations working with marginalised populations who often found themselves on the periphery, mostly excluded from mainstream public discourses. Specifically, the research included participants from human rights organisations established

before and after the downfall of the regime, humanitarian development organisations (including Islamic associations) created after 2011, and organisations working with communities living with and affected by HIV/AIDS and sexual minorities established before and subsequent to the uprising in Tunisia. Finally, I advocated the importance of researching marginalised communities who experienced the brunt of sociopolitical turmoil and who often struggled to participate in mainstream discursive arenas. What happens at the periphery sheds light on populations who are routinely stigmatised and criminalised, and more importantly, who often find their human rights eroded as a result of populist decisions and moral panics associated with transitions.

This chapter reflects back on the core three themes of the thesis and considers the overarching research question as well as the emerging questions framed across the different chapters. However, first this final chapter discusses some of the methodological challenges and opportunities involved in conducting research during periods of significant sociopolitical transformation. Throughout the research I regularly considered the different aspects that can be general and specific to transitions from authoritarian rule. Some of these considerations can arguably affect both the research and the researcher. Following this discussion, I present summaries of the core themes and chapters of the research and consider the overall implications of this research on civil society through the case study of Tunisia.

1. Disruptions and transformations: conducting research following the downfall of a regime

Conducting research during a period of significant sociopolitical disruption and transformation, such as following the downfall of an authoritarian regime in place over two decades, brings both challenges and opportunities for the researcher, and more importantly, requires flexibility in the research model as well as enhanced sensitivity to the informants during the interviews. During the main research period in Tunisia and the initial six weeks of research in Egypt, I observed three main factors that can affect research within contexts of sociopolitical transformations. The first is the timing of the interviews—

specifically, how closely an interview followed the uprisings corresponded to the degree of openness of the participant. The second was the residue of authoritarian rule and the nature of the security apparatus of the shadow state. This residue affected the degree of caution some participants would have in the interviews and, furthermore, inevitably necessitated and resulted in some degree of carefulness on the part of the researcher. And finally, the third factor is the (sense of) turbulence of the transition(ing) environment itself—the spectrum of emotions and the rapid nature in which they routinely vacillated among members of the population as reflected in the media and within public spaces. While the majority of the research was eventually carried out following the downfall of the Ben Ali regime in Tunisia, the initial research phase in Egypt allowed for some comparisons to be made for the overall research context. Experiencing the aftermath of the uprisings in two countries ultimately allowed for the articulation of a more refined set of methodological considerations for researching in similar contexts. And while I do not think these factors are necessarily universal, I do think they merit consideration when undertaking research in comparable environments.

First, as with other research conducted following the Arab uprisings, the timing of the interviews often shapes the response of the interviewee.⁶⁸² The timing determined whether people were still experiencing the euphoria of having brought the downfall of a regime, or perhaps were instead concerned about the uncertainty of the transition. Following the Tunisia uprising, for example, individuals were much more willing and eager to speak candidly about the political situation in Tunisia and the broader region, from rumours about the former regime's family to frank outbursts concerning Ennahda. The initial eagerness to speak openly about the political and cultural transition(s) transpiring across Tunisia was manifested by the fact that many people gave me an unexpectedly substantial amount of time during interviews even up to one year after Ben Ali fled the country. It was not unusual for people to give two hours and an additional meeting to follow-up. When asked what I was studying and I replied "political science in the Middle East" (as not that many seemed to understand the concept of development studies), most individuals replied with laughter at my timing before launching into a monologue of their own personal perceptions following

⁶⁸² See: Gunning and Baron, *Why Occupy a Square*, 19.

the end of the Ben Ali regime. Furthermore, once a discussion began it was usually the interviewee who spoke without much prompting at all and covered a wide range of issues related to my topic of research. All of the family members and friends of the family with whom I interacted in 2012 spoke at length with me on the political situation, as did swimmers at my local pool, taxi drivers, and even research assistants at the national documentation centre. However, while I encountered an incredible openness among the general population and different civil society actors working with marginalised communities in 2011 and 2012, upon my return in 2013 I found that for many, the residue of authoritarian rule had resurfaced; individuals were more guarded and cautious in where they chose to meet me, for example in crowded cafes rather than their offices, and in their responses.

Second, at the beginning of the research, I concentrated on the particular period of sociopolitical transformation for civil society organisations in Tunisia. However, soon thereafter I noticed a degree of discomfort in some of my initial interviews; some participants visibly became uneasy and guarded simply because I referred outright to specific political phenomena. At this stage (early in the research) it was necessary to change my interview approach to be less overtly political and therefore less threatening to the interviewees, many of whom acted as representatives of organisations, given the current climate. To allow the research framework more flexibility following the uprising, I was also required to expand my focus. I adapted the research to allow for a before and after discussion during which both pre- and post-revolution perceptions could emerge as well as a discussion on social turmoil and different transition processes. This permitted those organisations working with vulnerable groups (female sex workers, sexual minorities, socially excluded women, and people who use drugs) to detail how—within the context of a government/political system that regularly expanded and contracted its public spaces as well as its methods to control civil society—they had to adapt their strategies for working over time. This alteration opened up my topic and created a stronger opportunity for discussion with the research participants, several of whom seemed convinced the surveillance and security apparatus of the state was still fully operational.

Nevertheless, I was regularly reminded that many Egyptians and Tunisians had lived in a climate of fear and indiscriminate violence for more than three decades; furthermore, this fear would not disappear overnight. Moreover, during the field research I found that even I was caught off-guard with the degree of caution I undertook during some of the research interviews, for example by choosing not to ask probing questions in some instances or by reverting back to questions of a more programmatic/organisational nature. Both the sensationalist reports of violence in the media and an overall general climate of fear among friends and colleagues undoubtedly contributed to my own sense of restraint and respect for the concerns of my interviewees in this regard. When friends, including my 28-year-old female neighbour (and self-appointed caretaker) upstairs, asked what I was researching in Cairo, they would often express worry for my own personal safety because I was studying civil society organisations and because I was foreign. Even one of the World Health Organization representatives in Egypt said my research “could be dangerous for the organisations I am interviewing, as well as dangerous for me.” Admittedly, the anxiety for my own safety elicited by friends and colleagues alongside a creeping xenophobia in the region were complex elements to grapple with during the research.

Third, when researching within transition contexts a rapid and accumulated sense of exhaustion eventually sets in. In Egypt and Tunisia, the collective populations in the urban areas where I was researching appeared to be on high alert and engaged completely in the sociopolitical transformations occurring in their country. People were angry, euphoric, frustrated, and scared. One example was in Tunisia when one of the older neighbours met us in the road crying. She said she was crying because she was now worried about the future of her granddaughter under an Islamist government. She was concerned whether her granddaughter would have to wear the *hijab* and would risk having a husband with more than one wife. These were her apprehensions as she cried openly in a residential street. Bendana writes, “the restlessness of opinion is an additional emotion in this transitory phase....The speed of events makes things hard to understand [or literally ‘confuses the sight’] as so much of Tunisian political life remains under the influence of practices that are difficult to reverse overnight.”⁶⁸³ I often felt as a researcher that these collective emotions

⁶⁸³ Bendana, *Chronique d’une Transition*, 99.

were challenging to contend with. Nevertheless throughout the research period I felt I was participating in something exceptional, as I too allowed myself to be taken on this ride. I experienced the shock when the young woman was pushed off the wall at the University of Manouba trying to replace the Salafi flag with the Tunisian flag in 2012 and a sense of disillusionment when Chokri Belaid was assassinated in 2013.

Finally, these challenges encountered in the methodology and in the research within this context reflect more generally my central findings concerning what transpires during these transitional periods. Following the downfall of an authoritarian regime or any significant sociopolitical transformation, time often becomes seemingly chaotic and non-linear as a range of different ideas, priorities, and visions effectively rush into the public space. Static concepts are reborn as multiple actors emerge to stamp their ideological claim onto the present. Transitions from authoritarian rule can be characterised by a jostling between state and society whereby relations of power are both macro and micro, horizontal and vertical, repressive and emancipatory. These moments of disruption, change, and transformation are also remarkable periods that can offer a renewed dynamism to these concepts and actors. It is a period of expansions and contractions across many levels simultaneously, fluid change, and micro-practices that reveal, in their temporariness, the plurality of humanity itself.

The next section considers the overarching research question and emerging questions across the core chapters and themes of the thesis. It concludes with the implications of the research and considerations for future conceptual and empirical research on civil society in post-authoritarian contexts.

2. Expansions and contractions: tracking the movement of national priorities in post-uprising Tunisia

In January 2011 a space opened. The moments of solidarity and national unity of having brought down a dictator created a momentum whereby the popular masses forced the field open for political liberalisation. As a result, a range of both secular and non-secular political parties were able to register and the laws of association were amended, two developments

that allowed thousands of new organisations to find their voices and strive to openly influence the shaping of a new Tunisia. One observed the elements that are considered general to transitions from authoritarian rule: the popular upsurge, the implementation of political liberalisation measures, and the “resurrection of civil society” in the immediate months that preceded and followed the uprising. However, one also witnessed the disruption and transformation wrought by a country in the pursuit of a higher or different standard of democracy. These moments of sociopolitical unrest carried with them a host of emerging conflicts and contestations within political as well as public spaces as critical decisions were made regarding political leaders and national priorities. Moreover, previously marginalised actors and groups sought recognition and dignity as the country defined its new national identity. The three core themes of the thesis underscore the specific areas and consequences of these conflicts, in particular among civil society actors and groups as they move to participate in Tunisia’s new and expanding symbolic and physical public spaces following the 2010–2011 uprising. As noted previously in this chapter, these three core themes are: 1) the “illiberal” effects of the opening of the public space(s), 2) the emerging sociocultural and socioreligious divisions (including the rise of associational or social Islam), and 3) the exclusionary (and undemocratic) nature of consensus in “liberal” democracies. These themes serve to show how civil society became more conflictual between its different elements after the uprising than previously under authoritarian rule. They also illuminate the nature of these conflicts, stemming from both the practices of the pre-revolution regimes of Bourguiba and Ben Ali, as well as the new and uncertain sociopolitical terrain that materialised after 2011.

Chapter III: *The consolidation of the Tunisian state* examined the approaches of the Bourguiba and Ben Ali regimes to civil society from the period of independence in 1956, in particular in regards to how each regime manipulated the spaces for these actors to manoeuvre over time. In order to do this, the chapter first discusses how the particular origins, initial structures, and leadership of the Tunisian state shaped the manner in which it engaged with these actors and groups. Through Ben Romdhane’s description of the “authoritarian spiral” it is possible to discern how particular crisis moments in the transformation of the state represented critical watersheds in Tunisia’s sociopolitical development. For example, although Bourguiba inherited a highly centralised and efficient

state apparatus following independence from French colonial rule in 1956, he was required to repeatedly prevent and manage the conflicts that emerged prior to and following his rise to leadership. He encountered contestations to his legitimacy both within the Neo-Destour Party (PSD) and throughout his drive to implement controversial policies such as the Code of Personal Status and austere socioeconomic reforms. Over the three decades in which Bourguiba governed Tunisia, the overall project and prioritisation of national construction inevitably supplanted measures to foster political pluralism and liberalism. As this “authoritarian spiral” intensified, the response to perceived opposition became increasingly severe. As a result, the institutions of civil society became weak or non-existent, and were gradually co-opted into the broader Tunisian state and PSD.

The residue of authoritarianism eventually carried over into the Ben Ali regime despite initial optimism for democratic reform and a more pluralist society. After Ben Ali succeeded Bourguiba, the new president was keen to demonstrate a commitment to neoliberal economic reform both at home and abroad; he was equally committed to demonstrating his outward conviction in liberal political reform. As early as the 1990s, Ben Ali created perceptible openings for political liberalisation. What accompanied these measures was an international enthusiasm for the democratic potential these new opportunities could offer Tunisian political society. Nevertheless, the regime’s preoccupation with the implementation of neoliberal economic reform and political stability and security, eventually necessitated harsh crackdowns on perceived unrest and opposition. Following an initial loosening of the laws of association, for example, these laws were then amended to bring civil society organisations under the further control of the state and the RCD party. Moreover, the threat of Islamist extremism as perceived more broadly in the Middle East and North Africa during the 1990s allowed the Ben Ali regime to repress significant sections of the population as well as any form of collective activism understood as potential opposition. In addition to the targeting of secular organisations, the regime gradually closed down spaces for Islamist actors and groups to manoeuvre. Over time, the vigorous targeting of the Islamists by the government had a direct impact on the nature of Tunisian society as some secular organisations also began to distance themselves from Islamist organisations. Eventually, this resulted in a more or less homogenous field of civil society actors and groups interacting within relatively uncontested, albeit constrained, public spaces.

Moreover, as many of these organisations emerged during a period of adoption and implementation of neoliberal policies, many were largely restricted to the provision of social welfare services. The limited nature of the work civil society organisations could engage in, the repressive conditions under which they operated, and the homogeneity of the field in which they manoeuvred all had direct implications on the conflicts and cleavages that manifested among these different actors following the 2010–2011 uprising. However, the force of the state security apparatus and RCD party applied against these actors also unwittingly provided the conditions and momentum for independent social action to arise following decades of authoritarian rule.

Chapter IV: *Civil society and the opening up of the public space* analysed the outcomes of the opening up of Tunisia's public spaces as a result of the critical and sustained pressure from the popular masses on the High Authority for political liberalisation following the downfall of the regime in January 2011. This chapter examined the first core theme of the research, specifically the "illiberal" effects of the opening of the public space(s). This chapter and the remaining core research chapters reflect the analogy of a reverse pyramid in order to conceptualise the transformation of the discursive arena during a transition from authoritarian rule. Chapters IV and V illustrate this pyramid at its widest point as Tunisia's public spaces rapidly expanded to accommodate a host of new actors, priorities and ideologies; Chapter VI however reflects this discursive pyramid at its narrowest point, as conflicts and contestations are gradually muted and the practice of consensus filters down national priorities in the years following the uprising. For example, during the initial months following the downfall of the Ben Ali regime, the discursive arena was at its widest as not only were thousands of new organisations legally established, but also a host of new priorities, visions, and ideologies filled this expansive space. These expanding spaces were also shared with the organisations formerly established under the Ben Ali regime. The newer and historic organisations effectively encountered opportunities and challenges as they endeavoured to participate in Tunisia's post-uprising public spaces. As a consequence of a multitude of various actors emerging to the forefront, a range of issues were tabled for discursive contestation, including the issue of freedom of the press and media (or the limits of); issues regarding the status of women; support to and recognition of vulnerable but also criminalised populations such as people affected by HIV/AIDS, including sex workers and

homosexual communities; and finally, a key symbol of national identity, the Tunisian flag. These issues became critical areas of conflict among civil society actors and groups in the months that followed the Tunisia uprising. In addition to navigating these debates, many civil society actors also found themselves operating on uncertain terrain, as they were required to cultivate relationships with new political leaders and donors as well as to rearticulate their post-revolution mandates. During this time, the landscape of Tunisia's public spaces was characterised by an unfolding sense of *citoyenneté* and dynamism as well as by competition, uncertainty, suspicion, and distrust.

Chapter IV also begins to underscore the incompatibility between two specific understandings of civil society that are evident today. The first is the Gramscian understanding in which civil society is a dynamic set of actors capable of subverting the hegemony of the state, an approach revived and rearticulated during the social movements in Eastern Europe and Latin America in the 1980s and which has come to recognise civil society as antithetical to authoritarianism. The second is the neoliberal understanding applied and upheld during the Ben Ali regime during which many of these actors served as providers of social welfare services to supplement the social contract between the Tunisian state and its citizens. Both of these understandings, and the ideologies underpinning them—Communism and neoliberalism—manifested in Tunisia's public spaces following the uprisings, effectively exacerbating conflicts and cleavages among civil society actors.

The opening of space following the downfall of an authoritarian regime can create new opportunities for participation in sociopolitical processes as well as establish fresh priorities as the state transitions to an uncertain something else. Conflict is manifested within civil society when the public space suddenly widens to accommodate a vast range of new actors and disparate, often competing, ideologies. In the case of Tunisia, this space opened following the amendments to the laws of association in early 2011. However, the residue of authoritarian rule, and the residue it left upon the different webs of relationships forged in Tunisian society throughout the former regime, significantly influenced how these actors responded to change—the disruption and transformation brought by the transition. This thesis shows that there is a tumultuous but definitive period following the downfall of an authoritarian regime that is intensified by the implementation of political liberalisation

measures during which actors can take maximum advantage of these expanding spaces, and where the field for discursive contestation grows to its widest point. The consequence of these new and vast public spaces, and the multiplicity of different conflicts which emerge, can result in an uncivil and illiberal jostling of views, visions, and ideologies. These sites of contestation reveal a crowded terrain of actors, yet also give evidence that discursive contestation is indeed taking place.

Chapter V: *Rising social division and the emergence of social Islam* analysed in more depth the emerging conflicts and divisions between secular and Islamist actors and groups to further determine how conflict is manifested within and among civil society. This chapter examined the second core theme of the research, namely the emerging sociocultural and socioreligious divisions, including the rise of associational or social Islam following the downfall of the Ben Ali regime in 2011. This chapter also continues to reflect the analogy of the reverse pyramid, where there is an expansive space for old and new civil society actors to operate. Moreover, it mapped the areas where conflict materialised among secular and non-secular groups and analysed the consequences of these contestations for both these sets of actors, as well as for democratisation in Tunisia following the uprising. Subsequent to the October 2011 elections that resulted in the Ennahda party holding power through the formation of the Islamist-secular coalition, the Troika, the growing cleavages between Islamist and secular actors in political and public spaces became more perceptible. The conflicts and contestations among these actors manifested as a result of three principal factors.

For one, these cleavages had their origins in the practice during both the Bourguiba and Ben Ali regimes of marginalising Islamic actors and groups, which eventually resulted in Ennahda being officially banned from political activity, its leaders imprisoned, and many of its members exiled. This was carried out as part of an ambitious drive to modernise the country based on principles of secularism and political liberalisation; in addition, it was a mechanism to consolidate state legitimacy through the elimination of opposition and contestation to authoritarian rule. In particular during the Ben Ali regime, civil society as a concept was routinely constructed in opposition to Islam. The promotion of the secular ideology also allowed some members of civil society to perpetuate anti-Islamist attitudes, thereby leaving

limited room in the national imagination for Islamist actors. Second, the divergences between secular and Islamist civil society actors reflected the conflicts and contestations manifesting at the political level within the National Constituent Assembly and in the growing political challenges to the legitimacy of Ennahda. The distrust and suspicion targeted at Islamist actors in political arenas—concerning, for example, Ennahda’s funding sources, the growing presence of Salafism, and the party’s position on the status of women, minorities, and on the freedom of the press—were mirrored onto the different actors and groups manoeuvring in Tunisia’s symbolic and physical public spaces. Third, with the rise of political Islam, there was also the concurrent rise in associative Islam where new, and often unfamiliar, actors filled the expanding post-revolution landscape. Effectively, the denial of their participation in civil society prior to 2011 eventually helped to create the spaces for Islamist actors to establish legal associations and opportunities to embrace their own sense of *muwatana* or *citoyenneté* following the downfall of the former regime. Consequently, decades of the repression and exclusion of these actors served as both a motivating factor for Islamists to participate in Tunisia’s public spaces following the 2010–2011 uprising and also as a delimiting factor given ongoing contestations to this participation by some secular civil society actors and groups.

Finally, and further elaborating on discussions in Chapter IV, this chapter emphasised the dual understanding of the concept of civil society influencing the actions and responses of the different actors in Tunisia’s discursive arenas. The secular civil society organisations that were established during the Ben Ali regime emerged within the ideology of neoliberalism. The actors that materialised to become part of civil society following the uprising more closely reflected a Gramscian understanding of the concept and field of actors. Through the cultural, education, and religious institutions, civil society was able to restore its sense of agency through self-determination and self-management, but also to contest state power; at times these actors, such as the emerging Salafi movement, even seemed capable of subverting this power. The Gramscian understanding of the concept that emphasises agency, instability, and the reversible nature of hegemony comes to stand in sharp opposition to the neoliberal understanding in which the role ascribed for these actors is largely functionalist. I argue that at the root of these social divisions and cleavages are also two simultaneously operating but incompatible concepts of civil society.

Chapter VI: *Consensus and marginalisation: the mapping of priorities in post-uprising Tunisia* further analysed how conflict is manifested among civil society actors and groups by observing more closely the areas in which these conflicts occur and the consequences of these contentions. This chapter discussed the third core theme of the thesis, namely the exclusionary (and undemocratic) nature of consensus in “liberal” democracies. In order to do this, I examined the touchstone issue of homosexuality through the case study of the civil society organisation *Damj*, created after the 2010–2011 uprising to more effectively defend human rights and the rights of minorities, including lesbian, gay, bisexual, and transgender (LGBT) populations. Following the uprising, the issue of homosexuality featured in the printed and online press and in the debates of the National Constituent Assembly; ultimately it was an area of contestation among civil society within Tunisia’s public spaces. Chapters IV and V examined and illustrated Tunisia’s public spaces at their widest following the downfall of the Ben Ali regime, with the manifestation of a multiplicity of visions and priorities for post-uprising Tunisia. In effect, as a result of pressure to achieve consensus on key issues, this chapter returns to the analogy of the reverse pyramid, here at its narrowest point. In the further mapping of democratic priorities, for example in determining whether issues for sexual minorities such as freedom from discrimination and violence would be addressed, the discursive pyramid tapers downward. Accordingly, it was possible to observe in this chapter how these discursive spaces are gradually narrowed down from their most expansive point following the institutionalisation of political liberalisation measures. This discursive narrowing is an outcome of consensus, a fundamental democratic practice.

In many contexts, the downfall of an authoritarian regime and the implementation of political liberalisation measures can signal to a range of actors and groups fresh opportunities for recognition and redistribution. As aforementioned, in 1996, post-Apartheid South Africa became the first country in the world to integrate explicit protections for the rights of homosexual communities into its constitution. Given this precedent it is not surprising that following decades of authoritarian rule, some members of homosexual communities in Tunisia would also seek greater rights and freedoms. However, these actors regularly had to gauge an uncertain terrain as a variety of shifting priorities were sharply contested within Tunisia’s public spaces. Over time, dominant publics were able to marginalise issues and views that did not conform to Tunisia’s new imagined

national and collective identity. This marginalisation was made possible, first, through the propagation of moral panics in Tunisia's political as well as public spaces. Following the uprisings, these moral panics, as manifested in debates on the status of women and the rights of homosexual communities, featured sex as a topic of national debate. Second, this marginalisation was made possible through the notion of the hegemony of consensus as civil society actors and organisations themselves urged "now is not the time" in an effort to consolidate and protect gains made in the debates of the National Constituent Assembly. Despite these challenges, some members of Tunisia's homosexual communities made remarkable advances through the adoption of different strategies to engage in and contest the hegemonic transition discourse. This engagement brought increased publicity and visibility to a formerly peripheral issue in Tunisian society; however, it also brought the uncertain risk of discrimination and violence against these activists in the years that followed the 2010–2011 uprising. For example, in 2015, under the leadership of Tunisia's new secular president, Essebsi, several homosexual men were imprisoned on official charges of homosexuality and given the maximum sentence of three years. And while new organisations working to defend the rights of sexual minorities in Tunisia alongside *Damj* have emerged since 2013, such as the organisation *Shams*,⁶⁸⁴ the hegemony of consensus often ensures these communities remain on the periphery. Following a transition from authoritarian rule consensus becomes a key mechanism to enforce hegemony as the post-revolution hierarchy of priorities is redefined. As a consequence, "other"—and in this particular case the issue of homosexuality—is pushed to the margins, thus squeezing discursive spaces and muting conflict. Without such conflicts there is little evidence that discursive contestation is taking place or, moreover, that opportunities for a genuine pluralist democracy have not been eroded.

3. Disruption, change, and transformation: situating conflict

In late 2010 and early 2011 Tunisians mobilised in solidarity to bring down a dictator with the critical revolutionary slogan "*Ash-sh'ab yurid isqat al-nizam*," the people want the overthrow of the regime. The slogan eventually spread across the Middle East and North

⁶⁸⁴ See: McCormick-Cavanagh, "Tunisia LGBT Group Battles for Justice."

Africa to Bahrain, Egypt, Libya, Syria, and Yemen, igniting in all these places popular protest in the face of authoritarian regimes. Tunisians demonstrated together, calling for dignity, employment, and freedom, and through sustained popular mobilisations they advocated for the institutionalisation of political liberalism. In the months following the departure of the Ben Ali regime, Tunisian activists had succeeded in making a number of key gains, including the widening of the terrain for the emergence of new political actors and parties to participate in the National Constituent Assembly and the expansion of Tunisia's public spaces to harness a multitude of old and new actors seeking to put into practice their own conception of *citoyenneté*. Given the national and regional momentum behind the moments leading up to and following the downfall of the regime, the stakes for choosing political leaders, alliances, and national priorities were high, resulting in what could be perceived as an uncivil jostling among actors as these critical battles unfolded in Tunisia's vast discursive arenas.

This thesis demonstrates that civil society became more conflictual and contested among its diverse elements during the two years following the Tunisia 2010–2011 uprising than previously under authoritarian rule. It also contends, however, that over time as consensus was eventually taken on a number of critical national priorities, these conflicts and contentions gradually waned. To answer the overall research question for the thesis, conflict is manifested among civil society actors and groups as a result of four specific factors. These four factors are prominent across each of the three thematic areas in each of the three core research chapters concerning the “illiberal” effects of the opening of the public space(s), the emerging sociocultural and socioreligious divisions (including the rise of associational or social Islam), and the exclusionary (and undemocratic) nature of consensus in “liberal” democracies. The first factor is the residue of authoritarian rule, in particular the cleavages that materialised and were perpetuated by the former regime. In the case of Tunisia, both the Bourguiba and Ben Ali regimes exacerbated tensions and divergences between secular and Islamist actors in an overall effort to sustain their legitimacy to rule. The divisions that were established and maintained in the five decades following independence from French colonial rule in 1956 carried over into post-uprising Tunisia and influenced how civil society actors and groups responded to diversity and conflict.

The second factor affecting how conflict is manifested is as a result of the rapid expansion of a space with the simultaneous emergence of a multiplicity of views, priorities, and ideologies. Under the direction of the High Authority, the transition government implemented measures for political liberalisation in March and April 2011 to expand the opportunities for political representatives and parties to register, and amended the former laws of association to allow new civil society organisations to be legally created. As a result of the concurrent quantitative and qualitative expansion of these spaces in a relatively short amount of time, thousands of new organisations were created and many older organisations dissolved. Moreover, a range of touchstone issues featured across Tunisia's public spaces—issues that often ignited contention and sparked intense national debate.

The third factor that affects how conflict is manifested among civil society actors and groups is the political mirroring that occurs as a consequence of the debates unfolding at the political level, within the Ennahda party, inside the National Constituent Assembly, and in the media. These debates in Tunisia's political spaces reflect back onto the country's symbolic and physical public spaces; the conflicts that emerged at the political level—for example, on the status of women and sexual minorities—were hence reproduced and re-enacted in the discursive arenas where civil society actors and groups encountered one another.

Finally, the fourth factor responsible for how conflict is manifested among civil society actors relates back to the conceptual understandings of civil society considered in Chapter II: *Situating civil society: emancipation or modernisation*. In particular, this chapter underscored the Gramscian understanding of civil society in which its actors are attributed a more dynamic sense of agency and are capable of self-management and self-organisation. This understanding was eventually resurrected during the social movements in Eastern Europe and Latin America in the 1980s. As many of the actors during this period re-appropriated the concept of civil society in seeking defence and freedom from the state, this concept was also rearticulated to subvert the power of the state. The active understanding of the concept was later co-opted, however, by the neoliberals to celebrate the role of civil society actors in the transition to and consolidation of democracy through good governance agendas. Over time a concept that emphasised the dynamic nature of

conflict was gradually replaced by conceptual understandings that de-emphasises these divisions. I argue that underpinning the conflicts that manifest among these actors today are two simultaneously active but incompatible concepts of civil society defined and upheld by disparate ideologies—Communism on the one hand and neoliberalism on the other. At the root of the conflicts within civil society are these irreconcilable ideologies. This also brings the thesis back to Pearce, who in Chapter II observed a fundamental shift in the spirit of civil society organisations as agents formerly organised to contest hegemony to actors who now are considered to consolidate and maintain hegemonies. This follows on from the premise that the concept of civil society and the role of these immeasurably different organisations have gained greater prominence in the neoliberal architecture over the last three and a half decades. This change has resulted in criticisms by some actors in the academic and international development sectors based on their scepticism as to whether these organisations can effectively put forward alternatives to social change or can realistically contest hegemonic international development discourses. Because civil society organisations are expected to fill both a role of public service contractor for the provision of social welfare services and as agents to uphold democratic values and good governance, many of them have instead gradually become instruments to maintain and consolidate these hegemonies. This practice can be observed in the jostling over priorities and worldviews between both the historic and newer civil society actors and groups in Tunisia's post-uprising public spaces. Moreover, it raises the question as to whether there are indeed spaces to pursue these alternatives, a question that necessitates further reflection on areas where there has been change and matters upon which there is continuity in Tunisia's discursive arenas today.

The implications of this research on civil society are three-fold. First, academics, international development practitioners, donors and perhaps most importantly, civil society actors and groups themselves must give further scrutiny as to whether the two roles afforded to civil society in neoliberal frameworks—as providers of social welfare services and as key actors in holding states accountable and in democratisation—are compatible. Does civil society have the tools and the capacity to do both? Does one necessarily relate to the other? Given these two incompatible mandates, it comes as no surprise that there is conflict among actors that on the one hand are defined by their apolitical nature of

delivering services to deprived communities, and yet on the other hand are driven by a mandate to engage in the political by holding states accountable. Moreover, perhaps it is this dual role articulated for these actors that prevents civil society as a field of disparate actors and groups from being genuinely politically transformative, from offering real alternatives.

Second, this research sheds light on the often destructive nature of democratisation and its associated principles, namely consensus. In particular, international development practitioners and donors regularly give weight to the importance of consensus among civil society actors and groups on key matters of concerns, whereby conflict among these actors is perceived as unproductive and destructive. Conflicts are muted in favour of a predilection for these actors to “speak with one voice.” One returns to Mouffe, who underscores the inherent problematic of a preference for “rational consensus” in which conflicting views are negated. Her premise that you cannot have consensus without exclusion should serve as a reminder that democracy requires conflict, and hence, its associated institutions, such as civil society require the practice of dissent. This thesis advocates and urges practitioners, donors and civil society stakeholders and groups to consider which actors and which critical matters of concern are being excluded when consensus is achieved.

Finally, at the heart of deliberations on the nature of conflict, including how and why it manifests among civil society actors and groups, is an underlying normative supposition that conflict is inherently negative and therefore destructive—and, more importantly, that it can fundamentally obstruct efforts toward creating more democratic and representative institutions. This normative frame is also inherent in neoliberal policies that support civil society organisations as critical agents for good governance and democratisation. The eventual preference for consensus over conflict among these different actors is implicit, as democracy requires consensus on a range of issues and priorities. Conflicts among actors whose relations are often characterised by solidarity, good will, and cooperation are perceived as a negative consequence. Together the different chapters and three core themes featured across the thesis demonstrate that conflict among civil society is neither positive nor negative, but is nevertheless consequential. Conflicts and contestations among these actors can be productive forces for sustaining a multiplicity of discursive arenas;

effectively, they are proof of democratic pluralism. In the absence of conflict there is little empirical evidence that discursive contestation is taking place. Dissent allows democracy to become possible, and without it authoritarian tendencies quickly return. The dynamic of the three themes featured across the thesis reveals, in effect, the complexity and volatility of democracy itself, as observed through the lens of civil society.

Annex 1: Organisational Survey (English Version)

Mapping Survey: HIV/AIDS-Related Civil Society Organisations Working in the Middle East and North Africa

Date: _____

Name of the organisation: _____

Name of the interviewee: _____

Country and city/town where organisation is based: _____

1. How would you **best describe your organisation**?

- ☐ a. Non-governmental organisation (NGO)
- ☐ b. Association for People Living with HIV (PLHIV)
- ☐ c. National Network of PLHIV
- ☐ d. Community-based organisation
- ☐ e. Faith-based organisation
- ☐ f. Other (please specify): _____

2. **How many people are members** of your organisation/association (this includes Board members)?

- ☐ Less than 10
- ☐ 11-19
- ☐ 20-49
- ☐ 50-99
- ☐ 100-149
- ☐ 150-199
- ☐ 200-399
- ☐ More than 400

3. Is your organisation a **member of a network of HIV/Aids organisations**? Please tick all boxes that apply.

- ☐ Yes. Our organisation is a member of a national network (list): _____
- ☐ Yes. Our organisation is a member of a regional network (list): _____
- ☐ Yes. Our organisation is a member of an international network (list): _____
- ☐ No. Our organisation is a member of a development network (list): _____
- ☐ No, not a member of any networks currently.

4. **How long** has your organisation been working in the field of HIV and AIDS?

- ☐ a. Less than 6 months
- ☐ b. Less than one year
- ☐ c. Less than 2 years
- ☐ d. Less than 3 years
- ☐ e. From 3-5 years
- ☐ f. From 6-10 years
- ☐ g. More than 10 years

5. Is your organisation currently **registered officially** with the government in your country?

- ☐ Yes
- ☐ No

6. How many **individuals work to fulfil the core functions** of your organisation?

❖ If you have a Board structure, please indicate the number of Board members for your organisation:-

❖ Please indicate the number of paid employees in your organisation: *full-time*: _____ *part-time*: _____

❖ Please indicate the number of volunteers or individuals supporting your organisation regularly: _____

7. **Which key groups** does your organisation work with and **what proportion of your organisation's core activities does this represent** (tick where this work applies to your organisation and also circle the approximate percentage of work this represents overall for your organisation over one year):

<input type="checkbox"/> Children and young people:	<10%	25%	50%	75%	100%
<input type="checkbox"/> Women:	<10%	25%	50%	75%	100%
<input type="checkbox"/> Men having sex with men:	<10%	25%	50%	75%	100%
<input type="checkbox"/> Commercial sex workers:	<10%	25%	50%	75%	100%
<input type="checkbox"/> Injecting Drug Users:	<10%	25%	50%	75%	100%
<input type="checkbox"/> Migrant workers or refugees:	<10%	25%	50%	75%	100%
<input type="checkbox"/> Prisoners:	<10%	25%	50%	75%	100%
<input type="checkbox"/> Other: _____	<10%	25%	50%	75%	100%

8. **How many individuals is your organisation able to reach** from the key groups listed above per year (please circle the approximate number of individuals reached):

<input type="checkbox"/> Children and young people:	<50	100	150	200	>200	> _____
<input type="checkbox"/> Women:	<50	100	150	200	>200	> _____
<input type="checkbox"/> Men having sex with men:	<50	100	150	200	>200	> _____
<input type="checkbox"/> Commercial sex workers:	<50	100	150	200	>200	> _____
<input type="checkbox"/> Injecting Drug Users:	<50	100	150	200	>200	> _____
<input type="checkbox"/> Migrant workers or refugees:	<50	100	150	200	>200	> _____
<input type="checkbox"/> Prisoners:	<50	100	150	200	>200	> _____
<input type="checkbox"/> Other: _____	<50	100	150	200	>200	> _____

9. What **kind of work** does your organisation engage in (tick where this work applies to your organisation and circle the approximate percentage of the work this represents for your organisation over one year):

<input type="checkbox"/> Education and prevention:	<10%	25%	50%	75%	100%
<input type="checkbox"/> Outreach to key populations:	<10%	25%	50%	75%	100%
<input type="checkbox"/> Provision of testing or treatment:	<10%	25%	50%	75%	100%
<input type="checkbox"/> Psycho-social support and care:	<10%	25%	50%	75%	100%
<input type="checkbox"/> Advocacy & Leadership:	<10%	25%	50%	75%	100%
<input type="checkbox"/> Skills development:	<10%	25%	50%	75%	100%
<input type="checkbox"/> Other: _____	<10%	25%	50%	75%	100%

10. **Where does your organisation receive its funding from**, including resources for **technical support** (please tick where appropriate and circle the approximate percentage over one year). It is possible to tick more than one box:

- | | | | | | |
|--|------|-----|-----|-----|------|
| <input type="checkbox"/> From your country's government: | <10% | 25% | 50% | 75% | 100% |
| <input type="checkbox"/> From a UN Agency: _____ | <10% | 25% | 50% | 75% | 100% |
| <input type="checkbox"/> From the Global Fund: | <10% | 25% | 50% | 75% | 100% |
| <input type="checkbox"/> USAID | <10% | 25% | 50% | 75% | 100% |
| <input type="checkbox"/> DFID or other bi-lateral donor | <10% | 25% | 50% | 75% | 100% |
| <input type="checkbox"/> International NGO: | <10% | 25% | 50% | 75% | 100% |
| <input type="checkbox"/> Private organisation: | <10% | 25% | 50% | 75% | 100% |
| <input type="checkbox"/> Private foundation (i.e.Gates): | <10% | 25% | 50% | 75% | 100% |
| <input type="checkbox"/> Other: _____ | <10% | 25% | 50% | 75% | 100% |
| <input type="checkbox"/> Do not know. | | | | | |

11. Is your organisation a **member of a Global Fund Country Coordinating Mechanism (CCM)** or is a person working for your organisation currently a member of the CCM in your country?

- ☐ Yes. If yes, please specify who: _____
- ☐ No.

12. What are some of the **key challenges** that your organisation is currently facing—please rank in order of priority from 1-10, with (1) being the smallest challenge your organisation faces and (10) being the biggest challenge.

- ☐ Lack of funding
- ☐ Not enough paid staff members
- ☐ Lack of management and financial skills
- ☐ Lack of office space or administrative infrastructure
- ☐ Lack of enabling policy or legal environment
- ☐ Lack of coordination and support from the government
- ☐ Stigma and discrimination towards PLHIV
- ☐ Lack of enough political leadership on HIV in the country
- ☐ Lack of partnership with other organisations in the area
- ☐ Other, please specify: _____

13. Please describe the **geographical coverage** of your organisation including which areas in your country you have programmes and work with your target populations.

14. What other **organisations working in HIV and AIDS** in your country do you know of (please list):

- ☐ _____
- ☐ _____

Annex 2: Qualitative Interview Database and Organisational Typology Oct.2011-Mar.2013

	Name	Type	Entity	Title/Position	Location	Date of Interview
1	Fatiha	Health/HIV	Multi-lateral	HIV/AIDS Technical Adviser	Cairo, Egypt	October 2011
2	Nadje	Human Rights	Association	Health and Discrimination Project Officer	Cairo, Egypt	11 Oct. 2011
3	Lamia	HIV/Health	Multi-lateral	Country Officer	Cairo, Egypt	11 Oct. 2011 and 1 May 2012
4	Said	HIV/Health	Association	Programme Director	Cairo, Egypt	18 Oct. 2011
5	Richard	Development/HIV	Multi-lateral	Programme Adviser	Cairo, Egypt	17 Oct. 2011 and 30 April 2012
6	Dr Mehdi	HIV and Harm Reduction	Association	Executive Director	Cairo, Egypt	17 Oct. 2011
7	Dr Tariq	Association of People living with HIV (PLHIV)	Association	Board Member	Alexandria, Egypt	20 Oct. 2011
8	Sonia	Development	Association	President	Cairo, Egypt	20 Oct. 2011
9	Rita	Association of PLHIV	Association	President	Alexandria, Egypt	20 Oct. 2011
10	Ahmed	Association of PLHIV	Association	Programme Officer	Alexandria, Egypt	20 Oct. 2011
11	Amal	Health/HIV	Multi-lateral	Executive Director	Cairo, Egypt	23 Oct. 2011
12	Dr. Arsalan	HIV	Association	Executive Director	Alexandria, Egypt	24 Oct. 2011
13	Dr. Mohammed	HIV	Association	Consultant in Harm Reduction Program	Alexandria, Egypt	24 Oct. 2011
14	Dr. Senim	HIV	Association	Project Coordinator Home-Based Care	Alexandria, Egypt	24 Oct. 2011
15	Hamida	HIV/Technical Support	Association	Coordinator MENA	Marrakesh, Morocco	Oct. 2011
16	Fatima	HIV/Civil Society	Consultant	Public Health and Social Development Consultant	Cairo, Egypt	8 May 2012
17	Catherine Jenkins	HIV/Health	Bi-lateral	Health Advisor, MENA	Washington, USA	15 May 2012
18	Dr Malik	HIV	Association	Executive Director	Tunis, Tunisia	13 Jan. 2012 and 5 March 2013
19	Dr Zied	HIV/Health	INGO	Associate Director	Brighton, England	20 Dec. 2011
20	Ouroub	Development and	Multi-lateral	Country Officer	Tunis,	16 Jan. 2012

		HIV			Tunisia	and 13 March 2013
21	Amir	HIV	Association	Executive Coordinator	Tunis, Tunisia	18 Jan. 2012
22	Amina	Human Rights	Lawyer	Attorney at Law Partner	Tunis, Tunisia	18 Jan. 2012
23	Moazzam	HIV	Association	Outreach worker with sex workers; founder of Damj	Tunis, Tunisia	24 Jan. 2012
24	Mohid	HIV	Association	PLHIV Representative and person living with HIV	Tunis, Tunisia	24 Jan. 2012 and 7 March 2013
25	Nasser	HIV	Association	Supervisor of Peer educators and Outreach Work; founder of Damj	Tunis, Tunisia	27 Jan. 2012, call Nov. 2012, and 14 March 2013
26	Kader	HIV	Association	Supervisor of Key Populations and Outreach Worker; founder of Damj	Tunis, Tunisia	30 Jan. 2012
27	Muammar, Jason and Maha	English News website	Media	Co-Founder and 2 Journalists	Tunis, Tunisia	30 Jan. 2012
28	Kareem	Development	Multi-lateral	Project Coordinator	Tunis, Tunisia	1 Feb. 2012
29	Dr Raahil	HIV	Association	Executive Director	Tunis, Tunisia	5 Feb. 2012
30	Radi	HIV/Gender	Academic	Sociologist, Faculty of Human and Social Sciences	Tunis, Tunisia	7 Feb. 2012
31	Tawfiq	HIV/Harm reduction	Association	Programme Manager/ Medical Doctor	Sfax, Tunisia	9 Feb. 2012
32	Fajr	Democracy/ Civil Society Capacity Building	Association	Programme Officer (former employee of HIV association)	Tunis, Tunisia	10 Feb. 2012
33	Uday	Development	Association	Co-Director	Nabeul, Tunisia	13 Feb. 2012
34	Saqib and Mohammed	Human Rights	Multi-lateral	Director and Policy Adviser	Tunis, Tunisia	15 Feb. 2012
35	Shafiq	Human Rights	Association	Communication Officer	Tunis, Tunisia	15 Feb. 2012
36	Walid	Human Rights	Association	Founder and Lawyer	Tunis, Tunisia	16 Feb. 2012

37	Dr Faiza	Women and Human Rights	Association	President	Tunis, Tunisia	6 March 2012
38	Najeeb	Development/ Environment	Bi-Lateral And Associational	Senior Expert Environment; associational member	Tunis, Tunisia	6 March 2012 and 12 March 2013
39	Dr Nadiyah	HIV/ Reproductive Health	Medical Professional and former government employee	Public Health Specialist	Tunis, Tunisia	9 March 2012
40	Naeema	Women and Human Rights	Association	Director	Tunis, Tunisia	12 March 2012
41	Wail	Human Rights	Association	Secretary General	Tunis, Tunisia	13 March 2012
42	Naila	Women and Human Rights	Association	Founder and Secretary	Tunis, Tunisia	16 March 2012
43	Shiyam	Urbanism/ Development	Association	Treasurer and former Programme Coordinator	Tunis, Tunisia	16 March 2012
44	Siham	HIV	Association	Programme Coordinator and Head of Testing	Sfax, Tunisia	21 March 2012
45	Dr Waseem	HIV	Association	Executive Director	Sfax, Tunisia	21 March 2012
46	Yasir	HIV and Harm Reduction	Association	Outreach worker and program assistant	Sfax, Tunisia	21 March 2012
47	Soraya	Women and Human Rights	Association	Programme Coordinator	Kef, Tunisia	22 March 2012
48	Busrah	HIV	Association	President and Founder; person living with HIV	Tunis, Tunisia	23 March 2012
49	Dema	Development/ Education	Association	Founder and President	Tunis, Tunisia	28 March 2012
50	Dr Youssef	Family Planning/ Reproductive Health	Government	Director of Communication	Tunis, Tunisia	29 March 2012
51	Dr Faiqa	Media	Association	Co-Founder	Tunis, Tunisia	2 April 2012
52	Elizabeth Lewis	HIV	Bi-lateral	Policy Adviser (Former)	Washington, USA	2 April 2012
53	Ghilzlan	Democracy and Human Rights	Association	Secretary General	Tunis, Tunisia	3 April 2012
54	Dr Zahir	HIV/Family Planning/ Reproductive Health	Government	Head Coordinator of Global Fund Programmes	Tunis, Tunisia	3 May 2012
55	Dr Haajar	Development and HIV/AIDS	Multi-lateral	Former Director of Regional HIV/AIDS Programme	Cairo, Egypt	10 May 2012

56	Charles Taylor	HIV/AIDS, TB, Malaria	Multi-lateral/international org.	Manager, Country Partnerships	Geneva, Switzerland	16 May 2012
57	Dr Abdul	HIV/AIDS	Government	Former Manager of National HIV Programme	Tunis, Tunisia	18 May 2012
58	Wajid	HIV/AIDS and Reproductive Health	Foundation/Donor	Senior Programme Officer, MENA Office	Cairo, Egypt	21 May 2012

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